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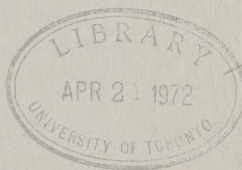


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ROYAL COMMISSION ON EMPLOYMENT OF FIREMEN
ON DIESEL LOCOMOTIVES IN FREIGHT AND YARD
SERVICE ON THE CANADIAN PACIFIC RAILWAY

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PROCEEDINGS



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Chairman

I N D E X

Witnesses

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ROYAL COMMISSION ON EMPLOYMENT OF
FIREMEN ON DIESEL LOCOMOTIVES IN
FREIGHT AND YARD SERVICE ON THE
CANADIAN PACIFIC RAILWAY

Proceedings of public
hearing held at Ottawa,
Ontario, Tuesday, May 14,
1957

PRESENT:

Hon. R. L. Kellock,	Chairman
Hon. C. C. McLaurin,	Member
Hon. Jean Martineau,	Member
Douglas M. Fraser,	Secretary
A. R. Winship,	Asst. Secretary

APPEARANCES:

D. W. Mundell, Q.C.,	Representing the
C. J. A. Hughes, Q.C.,	Commission
I. D. Sinclair,	Representing the
Allan Findlay,	Canadian Pacific
	Railway Company
David Lewis,	Representing the
	Brotherhood of
	Locomotive Firemen
	and Enginemen

Tuesday,
May 14, 1957.

37th DAY

MORNING SESSION

---The Commission opened at 10.00 a.m.

1. The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, and that the structure of the atom is determined by the laws of quantum mechanics.

2. The second part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, and that the structure of the atom is determined by the laws of quantum mechanics.

3. The third part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, and that the structure of the atom is determined by the laws of quantum mechanics.

4. The fourth part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, and that the structure of the atom is determined by the laws of quantum mechanics.

A. C. DOULL, recalled.

MR. LEWIS: Mr. Chairman, I undertook yesterday to give you the date of the F3 Operating Manual -- it is November, 1948, and this is the fifth edition.

THE CHAIRMAN: Do you have the date of the sixth edition, if there is such a thing?

MR. LEWIS: Do you know whether there is a later edition, Mr. Doull?

THE WITNESS: I have no idea.

MR. SINCLAIR: I think we can check that, but I am instructed there is not. I am told that these engines were last manufactured in 1948, being first manufactured in 1943.

MR. LEWIS: Then with regard to a quotation from the operating manual for the GP-9, which was read into the record, I informed the Commission that that manual was dated January, 1954. The witness informed the Commission that there was the same paragraph in the other manuals, F7 and F9, and you might note that it is on the same page in F9 and that the date of that is February 1954.

MR. SINCLAIR: That had to do with a different point.

MR. LEWIS: Yes, that had to do with the pre-service check rather than the patrolling.

THE CHAIRMAN: The pre-service check by the crew.

MR. LEWIS: By the crew.

BY MR. LEWIS:

Q Now, Mr. Doull, we completed your outline of the events relating to the first trip you made during the Easter recess, that was on April 26 on an extra west train with two road switchers. When did you make the second trip?

A April 27, running the other direction, from Swift Current to Moose Jaw on train First 950, Engine 8913.

Q First 950, is that a symbol train?

A Yes, that is a symbol train.

Q And Engine 8913 is what we have known as the Trainmaster?

A Trainmaster.

BY HON. MR. McLAURIN:

Q Was this the return trip?

A Yes.

Q The other one was from?

A Moose Jaw to Swift Current.

BY MR. LEWIS:

Q Did you make any preparatory inspection at Swift Current before leaving?

A I myself?

Q Yes, as engineer?

A This was a run-through engine. I made the usual tests of the brakes, checked the sanders and got a report of the condition of the engine from the incoming crew.

- Q Is there a difference in the arbitrary provided for these run-through inspections as compared with a shop track inspection?
- A Yes, sir.
- Q Which you dealt with yesterday?
- A Yes, there is.
- Q Yesterday I think you told us it was 30 minutes?
- A Yes.
- Q In the case of the second trip, at Swift Current, what would it be?
- A Fifteen minutes.
- Q Did the helper make any inspection at the time you made your inspection as engineer?
- A Yes. We entered the booking out office when we came on duty at 1.25 and reached the engine, got in the cab of the engine at 1.34.
- Q That nine minutes was accounted for in the booking-out office and the walk?
- A And proceeding to the engine. The fireman checked to see he had all the equipment necessary on the engine and reported to me the amount of fuel, which I believe was 1,100 gallons. We do not fuel the engine at that station going east.
- Q Did he make the same kind of inspection

that he made in Moose Jaw on your first trip, or was there a difference?

A Yes. He checked the water, the cooling water, the lube oil, and in general looked around the engine while I made my own inspection on the ground.

Q And you left the point in Swift Current at what time?

A I left Swift Current, we cleared Swift Current at 2.20.

Q Was that the time you were supposed to clear Swift Current or were you a few minutes late?

A That was late, a little bit late.

Q Did you have any switching to do on the road from Swift Current to Moose Jaw?

A Yes, sir.

Q Where was that?

A We had to do switching at Secretan, and pick up some cars.

Q Was there anything particularly interesting in that switching move?

A Not particularly.

Q All signals were given to you?

A All signals were given to me directly.

Q From your experience do you know whether that would be the same if you were going in the other direction, west rather than east, at Secretan?

A Well, in that particular yard there is a

heavy curvature to the left going west and if you were handling any long cuts of cars you would have to I think get the signals through someone on the left side of the locomotive.

Q Was there anything else on the way from Swift Current to Curle, which I understand is the name of the yard at Moose Jaw -- is that right?

A Yes. The freight trains leave from Curle for Swift Current, not from Moose Jaw; the passenger trains leave from Moose Jaw for Swift Current.

Q Anything else happen of interest on the way to Curle?

A No, not particularly. We picked up some ballast and had to make an extra train inspection. That is the only thing out of the usual on the run.

Q You picked up the ballast at Secretan?

A Yes.

Q And you had to make an extra standing inspection?

A Standing inspection.

Q Where?

A We made that at Caron.

Q Would that be a train order which you had received or would that be a decision of your own?

A That was a message received.

Q When you arrived at Curle, would you describe to the Commission what happened there when you yarded your train?

A At this time we had 103 cars. I do not know exactly what the tonnage was. We had to double over because the tracks in that yard only hold 50 cars.

So we pulled through and up the lead. The usual thing is the head-end trainman will drop off at the switch; that is, he will stay at the switch he has lined to head you out onto the east lead.

As you proceed you turn back, you follow a track that runs parallel with your yard tracks, your ladder tracks, making a left-hand turn off the lead. On that movement the signal is transmitted from the head trainman at the switch to the helper. It is always done with long trains in that way. He is standing where he can receive it from the man on the rear end when the caboose goes into the clar.

As soon as the movement is stopped he will cut the train and give the signal to proceed or to move ahead, to the helper also; then you move ahead and back into another track with the other portion of the train. All signals for that

movement are given to the helper.

Q Is that necessary or could it be done in some way by the crew positioning themselves so as to give the signals directly to you as engineer?

A It would require -- they could not give them directly to me as engineer; it would require someone on the left side of the engine.

Q Then you reached the shop track at what time?

A 7.05.

Q Did you make any inspection or did the helper when you arrived there?

A The helper took down his flags which he had put up in Swift Current, and extinguished the signal lanterns and applied the hand brake. At that time I was called off the engine. We had stopped right in the vicinity of the crew clerk's office and the crew clerk wanted to see me in connection with something. I told the helper that I would complete the trip ticket in the locker room. Usually it is completed on the engine.

I returned to the engine afterward and completed the form MP-74 after checking the engine and delivered it at the track report desk at the roundhouse.

I went to the locker room and the helper was in there, having finished booking in, getting his overalls off. I gave him his copy of the ticket but I did not check the time as I did not know when he went into the locker room.

Q By the way, you mentioned the helper extinguishing the lanterns on arrival at Curle?

A No, on the shop track.

Q I wanted to ask you if in the preparatory inspection there was anything unusual about the lanterns which required anybody attending them?

A One thing I did notice when we got on the engine at Swift Current was the signal lanterns, which had been burning all evening I guess, were badly smoked up. After making my inspection of the engine I found the glasses had been cleaned and the lanterns re-lit by the fireman.

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Q And also, by the way, Mr. Doull, you have said you got to the booking out office at Swift Current at 1.25. That would be 1.25 a.m.? Is that not right?

A Well, we only have one 1.25.

Q You do it on the 24 hour arrangement out west?

A Yes, sir.

Q Now then, when did you make your third trip?

A April 28th.

Q And what train was that?

A Train 951.

Q Is that a through freight?

A A through freight, yes sir.

Q Is it a symbol train?

A A symbol freight.

Q And what power did you have?

A In this case we had four diesel units, 8630, 8629, 8535 and 8536, General Motors road switchers.

Q Would you tell the Commission exactly what happened when you --

HON. MR. McLAURIN: Where was it going?

BY MR. LEWIS:

Q Where was it going?

A Moose Jaw to Swift Current.

Q Would you tell the Commission what happened from the time you reached the booking out office?

A Well, this time only two units were on the shop track. The other two we were waiting

the arrival of them, and the helper and myself did our usual booking out duties in the office and knowing our engines were not ready I did not immediately go over to them.

The helper did go over to the two on the shop track and he checked them over but I was not there at the time to see exactly what he did on those two units.

Q Yes?

A When the other two units arrived on the shop track the hostler moved the first two over and coupled them onto the rear and I then made my inspection, but as there was maintainers there cutting in the brakes and so on we were considerably delayed in doing that. They had to add 30 gallons of lube oil to unit 8629, I believe it was -- yes, and there was a mach^{an}-inist and/electrician and a hostler, a hostler's helper and two labourers working around the units, and after the rear units had been out in I made a brake test assisted by the machinist and had to make, move the engines to a convenient location for putting this, adding this lube oil, and made two other moves in the testing of the engines.

Q Then, where were you standing some of the time when you were doing these things?

A Well, that was all on the shop track. We then left the shop track and fuelled the

engines and proceeded to the yard office. Sitting in front of the yard office we stayed there and waited for the trainman to get the track, to be advised of what track our train was on.

During that time or rather when the brakeman came out and signalled me to go ahead the helper advised me that the C.P.R. policeman was crossing over between units. I waited until he got over on my side and then proceeded. The movement was made -- he crossed over the steps on the platform between two of the units.

Q Had you seen him starting his crossing over through your units?

A No.

Q What side of the engines was the brakeman who gave you the proceed signal?

A He had come over to my side, crossed in front of the engines.

Q Was there any member of the train crew on the helper's side of the engines at that time?

A No, sir.

Q And I gather that when you received the proceed signal and the helper gave you this information about the C.P.R. policeman you did not move on the signal to proceed at that time. Is that right?

A Not until after the policeman had got down off the engine.

Q And you were the one who watched for him to get off on your side?

A Yes.

Q Then, did you have any switching to do on the road from Moose Jaw to Swift Current?

A No, not on this trip. The only stop we made was the stop for train inspection. I had struck torpedoes at mileage 12.5. It was apparently an efficiency test. Otherwise there was nothing out of the way on the trip. We had a light train, only 3,151 tons, 69 cars.

Q For the four units?

A For the four units; it was a light train, yes.

Q Did you on this trip attempt to time running inspections?

A I did. This trainman made a large number of inspections. Most of his running inspections were from 30 to 35 seconds with occasionally a longer inspection. I neverknew when he was going to make one of these longer inspections so I did not time that, but every few miles he seemed to pay more attention to his inspection than he had done on the others. I timed the train on one curve from the time I had the engine into the curve until the last car appeared there at 37 miles an hour and it took a minute and five seconds for the last car

to show up where the brakeman could see it.

Q That was a 69-car train?

A Sixty-nine cars, yes.

Q When you arrived at Swift Current did you as engineer make any final inspection?

A Yes, I made the regular final inspection.

Q And what did the helper do?

A The helper applied the hand brakes on the units and while back doing so he isolated the rear units. He made a check of the lube oil on the unit to which oil had been added to see if it was maintaining its oil and reported it to me.

Q What was his report?

A That the oil was standing up all right. While I was completing four copies of the MP-74 he made certain running gear checks at my request. Some of the brake rigging was in fairly poor shape and I asked him to check exactly which wheels it was. I had made a check, a note of it at the inspection point, but just to verify that I remembered the right sets of rigging I asked him to check me while I entered it on the MP-74.

Q Did he report anything wrong with any of the other engines?

A While making the check he reported a bad air leak on unit 8535 in the vicinity of the air compressor.

Q If I may put it this way, Mr. Chairman, to

save time, I gather from your recital that the helper did not make any inspections of the engines while the train was in motion?

A No, no inspections while the train was in motion.

Q Now, your fourth trip, when did you make that?

A The same day, April 28th. That was on a steam engine.

Q You arrived in Swift Current from Moose Jaw at what time, completing your third trip?

A Arrived on time with that train at 14.30 and was off duty at 15.20.

Q And then you took this train back east to Moose Jaw that same day some hours later? Is that right?

A Yes, I was ordered for 21.15 with 5923 on an extra east.

Q What kind of steam engine was that?

A That is a T-1, oil burning.

Q And who was your helper on that trip?

A J. Gilpin.

Q Did you do any preparatory inspection before leaving Swift Current?

A Yes, sir.

Q By the way, what kind of train was that, a way freight, a through freight?

A A through freight.

Q Symbol?

A No, an extra.

- Q And how many cars did you have on it?
- A We left Swift Current with 75 cars and had to lift cars at Secretan which we lifted, giving a total of 107 cars, 7,600 tons.
- Q And did you have to clear any passenger trains on the way?
- A Yes, it was necessary to take the siding for No. 2 and I did that at Parkbeg.
- Q Would you describe that movement to the Commission, please, taking the siding with 107 cars at Parkbeg?
- A The siding at Parkbeg will only hold 84 cars so normally it would be necessary to head in the siding and also head out the other end until you have brought your caboose in clear of the main line.
- Q Is that what is called a saw-by?
- A The normal procedure would then be to saw by, flag No. 2 and saw by. However, at Parkbeg I would not be able to back this train up as it was considerably more tonnage than could be moved up the grade at Parkbeg. It is quite a heavy grade. So we had to cut off -- the signal for stopping when the caboose came in to clear was given to the helper on the helper's side. We then cut off clear of the main line, cut off in the siding and crossed over the head end of our train, a cross-over movement which had to be under flag protection,

but the signals for the cross-over movement and so on were all given on my side.

Q Then, what would you do when you crossed over? You would then take the rest of your train on some other track, would you?

A We were then -- after crossing over we were then on the westward track with the head portion of the train.

Q I think the Commission would want to understand that. That means that a large number of cars were on a siding on one side of the main track and part of your train was on a siding on the other side of the main track?

A No. I would say that 80 cars of my train were in the siding on the south side of the two main tracks.

Q Yes?

A I was on the westward main track with the other portion of it, not on a siding.

Q How did you clear No. 2 in that case?

A I cleared the eastward main track which was the one that would be used by No. 2.

Q You said that the signal to stop when you pulled into the siding and the caboose was clear was given to the helper on his side?

A Yes, sir.

Q Why was that? Why was it not given to you on your side?

A Because it could not be given to me on my side.

Q Why?

A Well, in this place the elevator track is an extension of the siding and you use the cross-over to go from the siding back onto the eastward main track. The elevator track has two elevators with large annexes and had a large number of cars in it.

These cars would be directly in line with the train that I was pulling into the siding, the portion that is still in the siding, and we were down approximately 30 cars, down the main line parallel to the cars in the elevator track. Moving out to the right if there isn't anything prearranged in this movement, which of course there isn't when you are taking a siding, moving out to the right to where he would be able to see the rear end coming in he would be out of my vision by being beyond the elevators and the cars on the elevator track. There may be some way, but as I have not tested the visibility from the left side of the engine or what would happen or what could possibly be done, I cannot comment on how they might get around that.

A.C.Doull

- Q Would it be possible to give a signal directly to you by one of the trainmen being on top of a car?
- A I do not think that if he got on top of the car he would be able to get a signal from the rear end when he was ^{there} in/ unless maybe some arrangement was made by the rear end man to climb up on top of the caboose as well.
- Q Then, did anything else happen on your trip before you arrived at Curle?
- A Not that we knew of until we arrived at Curle where we put our train away in the same manner as I described on the previous trip with the signals being given to the helper. On completing the movement of putting the train away the conductor advised me that his head end brakeman -- I am sorry, I meant to say his tail end brakeman -- had taken ill just pulling out of Parkbeg and was unable to walk or straighten up so we took the steam engine back opposite the caboose where the conductor and the head end trainmen assisted the rear end man on to the pilot of the engine and the conductor held him ^{on the pilot} while we proceeded to the yard office and took him into the yard office.
- Q And was there any inspection of the steam engine after you got to Curle either by yourself or by the fireman?
- A The steam engine?

A.C.Doull

Q Yes?

A Yes. On the shop track the fireman went out and took down his flags, filled the boiler with water, extinguished his fires and lanterns, and after receiving his copy of the trip ticket, left the engine. I carried on my inspection of the running gear of the engine and the tender and went into the warehouse to fill out the MP-74 for that trip.

Q By the way, the first three of your trips were all with diesel power. Where was the fireman sitting and where was the head end brakeman sitting on the three trips that you made?

A Sitting on the left side with the fireman in the front seat and the trainman in the rear seat.

Q What has been your experience as to this seating arrangement through the years on your subdivision?

A Well, that is the way it is done in the Saskatchewan district and everywhere, to my knowledge. The trainman and fireman have on occasions changed seats for short periods mainly in cold weather. Sitting in front of the door gets draughty so the fireman has often changed seats with the brakeman by mutual agreement for the purpose of getting warm.

Q You say the practice you have observed in the Saskatchewan district is that the fireman sits in the front seat?

A That is the practice, yes sir.

Q Have you known of any different practice elsewhere?

A No sir, I have not run into any different practice on either of the two districts that we would connect with; that would be the men from Brandon coming into Broadview or from Medicine Hat coming into Swift Current, although I could not say that it is a definite practice. I just have never seen any difference.

BY THE CHAIRMAN:

Q What about steam?

BY MR. LEWIS:

Q Yes, what about steam work? What is the seating arrangement?

A The fireman's seat is in front of the brakeman's seat.

Q Would that be true in all steam engines?

A Well --

Q The one you were on was an oil burner, No. 5923, on your fourth trip, is that right?

A Yes, that is an oil burner.

Q And what was the seating there?

A The fireman in the front seat on the left side and the trainman in the rear seat on the left side.

Q On a stoker engine, a coal-fired stoker engine, what would be the seating arrangement?

... (faint text) ...

... (faint text) ...

... (faint text) ...

... (faint text) ...

... (faint text) ...

... (faint text) ...

... (faint text) ...

... (faint text) ...

... (faint text) ...

... (faint text) ...

A.C.Doull

A It would be the same as that.

Q What about on a hand-fired coal engine?

A Well, it would depend on the age of the engine more than anything else but ^{on}most of the hand-fired engines that we have now the trainman is in front of the fireman up alongside the boiler heads.

Q So that in the case of hand-fired engines your general description about the fireman sitting in the front seat and the brakeman in the rear might change. In some cases you might have the opposite arrangement, is that right? You might have the trainman's seat in front and the fireman's seat at the rear?

A With regard to different types of engines, yes. On hand-fired engines the fireman's seat is usually the one in the position opposite the window that opens and which has the arm rest on it. There is an arm rest provided. The trainman's seat is ahead of that where the window is not opened.

BY THE CHAIRMAN:

Q I would think that the fireman on a hand-fired engine would sit behind because he would be closer to the equipment he would use in his work.

A Well, in the arrangement on most of the hand-fired engines the fireman's seat is in the most convenient place for him to be on the deck but also as far as lookout ahead is

A.C.Doull

concerned a seat could be provided for the brakeman behind the fireman except that it would be in the fireman's road for the purpose of his hand-firing duties.

THE CHAIRMAN: That is what I thought, yes.

BY MR. LEWIS:

Q You left Moose Jaw to come back to Ottawa on what date?

A May 2nd.

Q And on what train?

A Train No.8.

Q And did you observe anything on that trip that you would like to bring to the Commission's attention?

A Yes.

BY THE CHAIRMAN:

Q Is this a passenger train?

A Yes.

BY MR. LEWIS:

Q Yes, No.8 is a passenger train, is that not right?

A Yes. This had nothing to do with No.8 itself but a preceding freight train developed trouble of some kind and had to flag No.8 about two miles west of Belle Plaine. The rear trainman who we picked up as flagman did not know what the trouble was except that they had started slowing down and were not making sufficient time to properly clear No.8.

A.C.Doull

Pulling up to the switches at Belle Plaine the caboose of the freight ahead was just getting clear of the mainline and the conductor there flagged No.8 to a stop for the purpose of the saw-by. No.8 pulled down between the switches and the freight train backed up and let No.8 proceed. I noted in that move that all the signals were being given on the helper's side of the train.

BY THE CHAIRMAN:

Q Is there a right or wrong side on which signals should be given?

A Signals should be given when possible on the right side of the train but in movements of this kind, say a siding where a man would go off the main line switching off to the right and swinging back on to the left -- signals to the engineer could probably be given if a prearrangement was made but the position of the men in making this movement is such that it would be normal to give the signals on the left side.

Q Was it your observation that signals are only given on the left side where it is impossible to give them on the right?

A No sir. They are quite often given where it is more convenient to give them on the left side.

.

A.C.Doull

BY MR. LEWIS:

Q And after this encounter with this freight train did your No.8 passenger train go right on or did you have any other unscheduled events occur?

A There was a flag out again around Qu'Appelle. I do not know the details of that but there was a train at Indian Head crossed over, a freight train, and I do not know just what the necessity was for that flagging. And further on he struck unexploded torpedoes which caused a slow down for a short distance. That apparently was another efficiency test, so far as the engineer could see.

Q I gather these were all the trips you made or experiences you had during the Easter recess?

A That is all, sir.

Q Now, I would like to turn your attention, Mr. Doull, to a matter that has been much discussed during this proceeding. As an engineer whom do you rely on primarily for lookout on the other side of your engine?

A It has always been my experience that we rely on the fireman.

Q In the case of a hand-fired coal engine, Mr. Doull, what would you say was or is the first duty of the fireman?

A His first duty is to provide the steam for the

operation of the engine.

Q Well then, in that case -- in the case of a hand-fired coal engine -- did you or would you also rely on the fireman primarily for lookout?

A Yes.

BY THE CHAIRMAN:

Q I cannot follow that. How could you rely on the fireman for lookout when he was looking at his shovel or his fire?

A Well, if there is something you want to see an experienced fireman would always be there to lookout -- such things as signals and main crossings and so on.

Q I understand that, things you know are there. But so far as things that may or may not be there are concerned, you simply cannot rely on somebody who is not looking?

A Well, of course, anything in connection with the tracks such as a flagman or such things the engineer would see himself.

Q Or traffic crossing over a country road or something of that kind?

A Yes.

Q In other words, I do not see how you can rely on some one for lookout who is not looking?

A By relying on him I would say that generally any observations from the left side would be

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received from the fireman. It was very seldom that we would ever on a hand-fired engine hear from the brakeman in connection with anything. However, at times you would. He has to be alongside the boiler in most cases and in other cases, in warm weather especially, it would be pretty warm up there by the boiler and he would probably be back standing in the gangway.

Q But so far as his seat **is** concerned in cold weather he is up where he can see forward?

A Yes, he can see forward, but his view is restricted out to the side so far as traffic is concerned.

Q But he can see forward?

A Yes.

BY MR. LEWIS:

Q Perhaps, Mr. Doull, we might go into that a little more. You said that the fireman on the hand-fired engine has the primary duty of producing the steam and you told the Commission yesterday that you thought he would be occupied perhaps -- if I remember your evidence correctly -- about 30 per cent of his time?

A Around 30 per cent, I think I said, yes.

BY THE CHAIRMAN:

Q On the average?

A Yes, on the average.

A.C.Doull

BY MR. LEWIS:

Q Yes. What about the head end brakeman?
Would he always be in the cab when you
were in motion or might he be occupied
elsewhere?

A Well, may be a reason for having the opinion
that we would rely primarily on fireman
on hand-fired engines is that there is the
practice of the trainman riding the cab
of the engine which has really only been
enforced in the last few years and in such
work as branch line work on way freights
or when handling a short train, it was
quite common for the head end trainman to
be back in the caboose, or on a nice summer
day he might be riding in the first empty
car behind the engine or something like that
as a more comfortable place to ride.

BY THE CHAIRMAN:

Q But where should he ride?

A In the engine, sir.

Q But you said, "In the last few years". What
do you mean by that, Mr. Doull?

A Well, it is definitely an offence for the
trainman not to be riding in the cab in
these present days regardless of whether
you only have one car attached to the engine
or caboose or no cars at all he still must
ride in the engine.

Q I know, but you said, "The last few years," and I just wanted to know what you had in mind. What did you mean by "The last few years"?

A Oh, I would say the last eight or nine years. I have a big lapse in my service, sir, so I cannot speak of a long period in there. I either have to say eight or nine years or I have to go back for 15 years.

BY MR. LEWIS:

Q You mean you were away from the railroad from 1937 to 1946?

A Yes.

Q And the brakeman not riding in the engine cab, do you remember that being the case in the thirties when you were there?

A Yes, particularly on branch lines. We never thought anything of the fact the trainman was not in the cab.

Q Then, even today, when you were on the road making a trip, is the head end brakeman in the cab all the time, or does he or does he not have duties that take him out of the cab?

A Well, not when running between stations, he has no duties taking him out of the cab except when he goes out on the catwalk of diesels to make his train inspection. He would always be in the cab except when the train was standing, doing switching movements or when he was making a standing inspection or at times when he might be required to go out flagging.

BY THE CHAIRMAN:

Q Is it laid down in the book of Operating Rules, Exhibit 27, that it is an offence for the brakeman not to ride in the cab?

A It does not put it in those words, but it would be a violation of the rules not to have him at the head end of the train.

BY MR. LEWIS:

Q What rule?

A Rule 90, I think it is.

MR. SINCLAIR: Page 49, Mr. Chairman,
it is the second paragraph of Rule 90.

BY MR. LEWIS:

Q You referred, did you, to the provisions that
the conductor and engineman will see that
trainmen are at the front and rear of trains;
is that what you had in mind?

A Yes.

BY THE CHAIRMAN:

Q How long has that rule been in force?

A Well, that rule, as it is there, has been in
force since August 26, 1951.

Q Was it a new rule then or was there a similar
provision?

A I cannot recall what the provision was in the
old rule book, now.

Q Do I understand that it is only since 1951
in your experience that trainmen have ridden
in the cab?

A Oh, no, sir, I say that the practice of re-
quiring him to be in the cab of all trains at
all times has been enforced in recent years,
whereas in certain circumstance in the past,
take prior to the war years, it was not
his habit on short trains and way freights,
and so on, for him to ride in the cab.

Q Well, I would rather know not what the habit

was but where the proper place was and how long it has been proper for him to be in the cab?

A The proper place is on the engine, sir.

Q And that has been for how long?

A Always, I think.

BY MR. LEWIS:

Q You said in switching movements the head end brakeman would be on the ground?

A Yes.

Q And then you said it might also happen if flagging was necessary?

A Well, he would be on the ground, yes. He might have to go flagging.

Q At this point, Mr. Doull, I would like if you would briefly refer the Commission to the flagging rules and practice, when flagging is necessary in the rear and when it might be necessary both rear and front, and so on. You express your experience on that subject as a Rules Instructor, an engineer, Road Foreman of Engines, and so on.

A Well, Rule 99 gives you the flagging instructions, that is, in this Exhibit 27, is it?

Q Yes, Exhibit 27?

A Rule 99 explains that.

Q At page --

A It starts on page 54.

Q That gives the various flagging instructions. Suppose we take first, Mr. Doull, single

track, which is, as you know, the overwhelming proportion of track for the C.P.R. Suppose you have a single track, would there ever be an occasion for front end flagging in the case of single track?

A There might be if the train had trouble and had to stop short of a station where it was going to meet a superior train, that is, making its own meet of a superior train. Probably if the engine would operate they would probably cut off the engine, run the brakeman in and come back for their train. When they were able to move, they would then proceed against the time of this superior train under the protection of the flagman they have left at that siding. Outside of that, I do not think there would be any occasion for him to protect the head of the train on single track.

Q On single track?

A On single track.

Q Most of the flagging on single track would be done to the rear?

A To the rear.

Q Then, on double track, would there be an occasion for front end flagging and/or rear end flagging?

A Yes, there is always the same reason for rear end flagging, and when you get an unexpected emergency on the train it could be

your train breaking in two, it is required that the other track be protected unless you know that it has not been blocked by any portion of your train.

Q You say blocked by a portion of the train, does that mean a car toppling over or could anything else happen?

A Not necessarily a car toppling over, it might be that the train has one car derailed and moved a bit and that would be foul of any movement on the other track, or it could be some break in some part of the equipment, such as a draw bar of a piece out of a car lying foul of the track, anything that fouls the other track would be an obstruction of it.

Q Then, you would flag out front until you ascertained all the other track was clear, would that be the idea?

A Yes, sir.

Q In your experience as a fireman, engineer and Road Foreman of Engines, is that sort of occurrence unusual or does it happen?

A It is not unusual. There are not many places in our territory where, providing it was daylight, we could not see that the other track was clear and would not have to flag it, but at night any occurrence of breaking in two would have to be protected until the train had been inspected by the conductor and made

certain that there was no obstruction on the other track.

Q In such an emergency, from your experience, what happens to the crew? There are five of you, the engineer, fireman, head end brakeman, conductor and rear end brakeman. What happens to those five when you are in such an emergency?

A The rear end brakeman goes out to the rear, providing flag protection, the head end brakeman goes out to the front to protect with a flag, and the conductor proceeds to inspect the train to see what caused this unexpected emergency. The fireman would be on his seat and the engineer would be watching for his air to come back when they got the angle cock closed at the break.

Q Would the conductor then be responsible, by himself, to couple the broken portions of the train together again, or what would happen?

A He would be the only one there to do it, yes, sir.

Q And if he could not handle it himself, what would be the situation?

A Well, if he had made sure, by this time, that the other main track, adjoining track, was clear, he would probably call in the brakeman and let him assist him.

Q Now, in connection with this lookout matter, how about a stoker-fired engine? How much time would the fireman of a stoker-fired engine

be away from a position where he could look out all the time?

A He would not be away from it at all unless he was having trouble with his stoker or fire.

Q When did you first fire a stoker engine or run a stoker engine?

A I first fired a stoker engine around 1931 or 1932. Of course I first ran them when I started working as an engineer in 1947.

Q And oil-burning engines; what time in your experience would a fireman be away somewhere other than from his position from which he could have a lookout?

A Only when sanding out the engine, applying sand through the fire-box for cleaning the flues.

Q And you informed us yesterday that he would do that --

A I said he might do that about five times over a 120-mile subdivision.

Q And for about how long each time?

A I said -- I believe I said about a minute to put in four or five scoops of sand.

Q Each time?

A Each time, yes.

Q When was your first experience with oil-burning engines?

A My first experience with oil-burning engines would be as an engineer.

Q After 1947?

A After 1947.

Q Do you know when oil-burning engines were first used by the Canadian Pacific?

A No, I could not tell you.

MR. SINCLAIR: Where, in Saskatchewan?

MR. LEWIS: On the Saskatchewan district.

THE WITNESS: In my district? I could not tell you exactly, but it would be just about that time, 1947, I believe, that the first Hudson types were converted to oil.

MR. SINCLAIR: 1948.

THE WITNESS: 1948?

MR. LEWIS: Pretty close.

BY MR. LEWIS:

Q Mr. Doull, what would be the difference, if any, in the opportunities for lookout between a stoker and an oil-burning engine, on the one side, and a diesel engine on the other, as far as the fireman is concerned?

A Opportunities for lookout?

Q Yes.

A Well, I would say they would be about the same on diesel and oil, and except for being more liable to have trouble on a stoker, it would be the same on a stoker with the exception of trouble.

Q Would you describe to the Commission the relationship -- I do not mean in any personal sense -- between the engineer and the fireman in the regular routine

of service?

A Well, the engineer and the fireman work together over the road together and when he is away from the home terminal they eat together and sleep in the same room and generally converse together, and usually the engineer and fireman are better acquainted than with any other member of the train crew.

Q Do you see the head-end brakeman or any of the brakemen at any of these times other than when the train is in motion?

A No, not as a rule.

Q In the course of your running trains as an engineer do you pay any particular attention to the fireman and his duties, that is for his improvement?

A You mean in regard to teaching him about the locomotive?

Q Yes.

A Well, that is where the fireman always learns all about it; on a steam engine he learned from the engineer.

Q And on diesel engines would there be that relationship between you and the fireman, that you would be trying to improve his work as he went along?

A Oh, yes, to the extent that a fireman will often ask questions about the engine and we try to answer them the

best we can, and on train inspections will show him what you are talking about.

Q In the practical operation of a train, Mr. Doull, as an engineer is there any different relationship between you and the fireman to what there is between you and the head-end brakeman or any other member of the train crew?

A Just how do you mean that?

Q Is your attitude toward the head-end brakeman the same; do you rely on him and do you consider there is the same relationship between you as between you and your fireman, as engineer?

A Well, that would depend quite a lot -- you know, you have a good idea of the capabilities of your fireman. Sometimes we have some poor ones too that you would not rely on at all, as well as the good ones. You do not know your brakeman as well as you do the fireman in that respect. If you have a well experienced trainman on the head end, probably someone you know personally, you would put reliance on him too.

Q You were discussing yesterday in reply to some questions from the Chairman this problem of when you had to clear a train and whose responsibility it would be to decide the time available and so on. You

suggested at one point in answer to a question from the Chairman, if I remember correctly, that you would not make a move until you got your signal from the head-end brakeman who was at the switch. Suppose you thought the time had run out, in that situation would the signal to proceed from the brakeman be honoured by you or not?

A No, I would not move if I did not have time to move.

THE CHAIRMAN: That is what he said yesterday.

BY MR. LEWIS:

Q As you pull the engine over the road what do you have in mind that you have to watch for? What is the lookout for, aside from train orders and so on?

A Well, the lookout is for noting the indication of signals, that the track is clear, what conditions are in general.

Q Yes. As you approach a town or junction what would you be looking out for in addition to those signals you have mentioned?

A You are referring to the yard limits in that question?

Q Anything in connection with the depot or yard limits?

A Well, approaching a town where the train

would be subject to Rule 93 or Rule 93A, depending on the conditions --

Q What rules are those, briefly?

A Those are the rules which require you to observe the yard speed passing through those yards unless the track is known to be clear, which means that if your visibility is restricted you must slow down, but if you have a clear visibility right through the yard or station limits you do not reduce your speed; it is still yard speed, because the yard is known to be clear then.

Q What would you look out for in going through, as you approached a town or yard limits and as you got into them what would be the hazards you would want to look out for?

A Well, another train, as a rule we would know the position of other trains.

Q Is there anything you would look out for that would not be on the track necessarily?

A Usually in the towns there is considerable traffic on the public crossings, and quite a habit, in smaller towns particularly, of people passing back and forth across the yard from one side of the tracks to the other.

Q I suppose on the prairies, if I might put it that way, you might even be bothered by animals?

A Oh, yes, lots of animals too.

BY MR. SINCLAIR:

Q In the towns?

A Quite commonly, yes, sir.

MR. LEWIS: On the edges, certainly.

BY MR. LEWIS:

Q Now, at those points where you are approaching a town or yard limits or had got into a town or yard limits and were watching the traffic on the crossings, the pedestrians, and so on, where normally at those points would the head-end trainman be? Would he be in the cab or elsewhere?

A He would be in the cab unless he had stepped out onto the catwalk for the purpose of exchanging signals. If he wants to do it on the right-hand side he cannot stick his head out the engineer's window because the engineer is in front, so he generally steps out on the catwalk for the purpose of exchanging signals with the rear end, or if he was on a left-hand curvature he would be on the left side looking back for signals.

Q That is, exchanging signals in accordance with Rule 90?

A Yes.

Q Is the exchanging of signals between the front and rear end of a train done on one

side more often than on another? What is the usual practice?

A As a rule it is the practice to go out on the engineer's side; where signals are given, if they can be seen or given, on the engineer's side.

Q If there is, as you said, a left-hand curve, then he does it on the other side?

A Yes, sir.

Q In order to exchange the signals the head-end brakeman, you say, might get out on the catwalk or put his head through a window, depending on what?

A I am talking about these diesel road switchers. He would on a straight track get out on the catwalk behind the engineer because that is the only place he can get the signals. He can get a vision all the way back. They usually make some of their running inspections that way too.

MR. LEWIS: Mr. Chairman, I am just about to start with another point and perhaps this might afford an opportunity for a recess.

---Recess.

-- After recess.

BY MR. LEWIS:

Q By the way, Mr. Doull, on the point of look-out we were last on, have you ever received any instructions as to whom you were to rely on for look-out purposes on the left side of the engine?

A No sir, I never have received any instructions and I had never heard it suggested that the primary duty of the trainman was the lookout and, of course, as I explained, I think we develop reliance on the fireman for lookout from habit, as I mentioned, past habit, and also the fact that the brakeman attending to his duties is off the engine while you are moving, particularly through yards and so on where switching has to be done, besides the fact that he is not as a rule concentrating ahead at the important points in towns. He is generally looking to the safety of his train by checking back for signals from the rear end.

Q And did you as a fireman have any personal experiences of alerting the engineer to any dangers to avert accidents?

A Well, it is quite a common thing for the fireman to alert the engineer, yes sir. It is hard to say just when you have alerted him to the extent that you have avoided an accident because unless it happened you would not know

that it was going to happen.

Q Can you recall any actual instance when you were a fireman to illustrate your point?

A Well, I can recall some instances where it was obvious that an accident was avoided. I recall one especially where I was firing a passenger special approaching Moose Jaw and it was very obvious to me that this car loaded with people all talking together was going to keep on going, was paying no attention, and I yelled to the engineer who set the brakes. The car did proceed right across in front of us. The train speed was probably not slowed down by the time we reached the crossing more than maybe three or four miles an hour but it did just miss the back end of that car by a matter of inches.

Q Who was the engineer on that train, do you remember?

A Yes, the engineer was Dewar. I remember the train inquiry well. I was hand-firing engine No.2637 at the time. I cannot remember the exact date except that that was in 1931 during the summer, around about the first of July some time.

Q Do you remember any other incidents when you were a fireman?

A I remember practically a similar incident which occurred -- I cannot recollect in what year. It was north of Regina and exactly the same situation applied as I described.

Q A car was approaching --

A I yelled to the engineer that a car was going to go across. We were not proceeding too fast at the time; that is, may be 35 miles an hour. And he immediately applied his brakes and the same thing occurred. There was a slight slow down which became effective in the distance which we had to go which was probably one-quarter of a mile and this was sufficient to let the car go over the crossing.

Q Can you recall for the benefit of the Commission any incidents of the fireman's usefulness in that way on any engine that you rode as a road foreman of engines?

A Yes, there was a case practically the same as that when I was approaching Saskatoon from the west on a train --

BY THE CHAIRMAN:

Q Freight or passenger?

A Freight. The train brakes were applied prior to receiving the alarm and the train speed was reduced for a level railway crossing. That is, one railroad crossing another. Also, as we were closely approaching Saskatoon, the speed had to be reduced for certain restrictions over road crossings beyond the one where this incident happened. The fireman yelled that there was a car racing for the crossing and the engineer increased the amount of brakes that he had. That is, he made a further reduction^{in speed}/and increased his brake pressure and slowed the train down, and the same with that one. It appeared that he came out from underneath the pilot.

Q Who came out?

A The car. However, we did not hit him but I attributed that to the extra slow down made by the additional application on brakes.

Q In roughly what year would that have taken place?

A 1954.

Q Then, was there any other incident while you

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were road foreman of engines?

A We were standing -- yes, we had stopped at Curle, that is coming out of the yard out of Moose Jaw going west with a freight train with diesels and were waiting for the switches to be lined to let us out on the main line when the fireman told the engineer not to move because two children had crawled under the train some cars back so we waited and the children came out the other side and then we proceeded.

Q Did you see it? Where were you standing at the time?

A At the time of the fireman saying that I was standing talking to the engineer in the cab and we both watched to see that the kids came out from under the cars.

Q Was there any one else on the train who was in a position to have seen these children crawl under the car?

A No, there would be nobody else to see them -- in a position to see them go under the cars, no.

Q Where were the members of the train crew?

A Well, the rear end trainman and the conductor would be in the caboose.

Q And where was the front end trainman?

A At the switches.

Q You mean lining the switches for the move?

A Yes.

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- Q And I understand that these children crawled under the car from the left side of the train on the helper's side?
- A Yes.
- Q Had the engineer started to move or was he about to start to move when the helper called?
- A He was about to move but had not started the train.
- Q Was he receiving or had he received a signal from one of the train crew to proceed?
- A No sir, he had not.
- Q Have you had any experience or experiences of that sort with men working on the track -- sectionmen and motormen?
- A I had an experience myself in 1950.
- Q This is an experience that you saw yourself? What were you at the time?
- A I was the engineer.
- Q Yes.
- A And at that time they were freshly ballasting a piece of track just from Swift Current east. I was returning from having made a turn. I was running caboose hop.
- Q What do you mean by that?
- A A caboose with no cars. I was running 45 miles an hour and rounding a curve at Aikins the fireman yelled at me to stop the engine and I went into emergency.

BY THE CHAIRMAN:

- Q There were just the two of you in the engine room?

A No sir, the trainman was in there, too.
I went into emergency and I passed this track motor doing about -- well, we were still doing about 10 miles an hour when we passed them. And what had happened was that the men had removed their track motor from the track having heard us coming apparently in ample time except that they got bogged down in this fresh gravel and that is when the fireman yelled at me when he saw them beginning to have difficulties and I guess that slowing down gave them just the extra time and they managed to get it off the track.

BY MR. LEWIS:

Q Have you had experiences of being able yourself, as engineer, running an engine, to anticipate something which was happening on your side and avoiding or thinking you had avoided some accidents.

A Well, it is quite a common thing to have taken some action but I cannot name any explicit occasions. It is not unusual for an engineer to see something and set a brake, sound an alarm whistle or that sort of thing.

BY THE CHAIRMAN:

Q That is part of his duty?

A Yes sir.

BY MR. LEWIS:

Q Do you as engineer rely on someone other than yourself to watch that sort of thing on the

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other side of the engine?

A On the other side of the engine?

Q Yes, on the side opposite to where you sit?

A We do at present rely on the men who are sitting over there for that purpose.

Q Do you recall either a specific incident or have you a general memory impression of a head end brakeman being of similar assistance to what you have reported the fireman was in the incidents you mentioned?

A No, I cannot recall any specific occasion. At times I have had the brakeman suggest that we sound the alarm on the whistle and there might be animals along the roadway or things like that but no specific incident such as those I have quoted with regards to firemen.

Q We have discussed on one or two occasions, Mr. Doull, directly and indirectly, the responsibilities of the train crew for getting the train safely over the road and I would like to draw your attention for a moment to rule 34 which no doubt you know on page 37 of Exhibit 27. Rule No.34 reads:

"Crews on engines and snow plow foremen must know the indication of fixed signals (including switches where practicable) and members of train crews must know the indication of train order signals affecting their train before passing them.

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All members of engine and train crews must, when practicable, communicate to each other by its name the indication of each signal affecting the movement of their train or engine."

Now, Mr. Doull, if someone else violates this or any other rule as a result of which there is an affair is that or does that not relieve you as engineer, as a member of your train crew, from any responsibility for the affair?

A No sir, it does not relieve me of any responsibility.

Q What rule governs that?

A Well, mostly the statement that all members of the crew are responsible for the observance of the rules but particularly it applies that a rule violation by one man which leads me into something would not excuse me from having made a movement that was not a clear movement to my own knowledge.

Q What about these fixed signals and train order boards, and so on? Where are they usually to be found? Where are they more often to be found -- on the engineer's side or on the other side?

A You find all signals on the engineer's side except train order signals which may be on either side.

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Q And in the case of the train order signal which may be on the left side, is the engineer in a position himself always to see it?

MR. SINCLAIR: Did we not have all this yesterday, Mr. Lewis, exactly the same questions?

MR. LEWIS: We will be out of this very quickly.

THE WITNESS: There are occasions when he cannot see due to curvature. With the diesel road switchers that operate with the long hood ahead you will lose sight of the train order signal a distance before you reach it. The same applied to the larger type of steam engines except that you would not be that far away because it is merely natural to have your head and shoulders out the window of a steam engine.

BY THE CHAIRMAN:

Q But you would see them some times?

A Oh, yes sir.

BY MR. LEWIS:

Q In connection with this responsibility of members of the crew or crews, would you give the Commission any incident and where that was applied from the point of view of discipline and so on?

A In connection with signals?

Q Or any other observation of the rules?

A Well, we have quite often had instances of hand signals given for the engine to proceed, and it proceeded while its track was foul. I cannot detail any definite instances of that type right now, but I do recall a case when I represented the engineer. It occurred last summer. This was a movement of a yard engine where all members of the crew knew what they were going to do, having just been stopped in front of the yard office. They came out and explained the move, including telling the engineer what was going to happen.

The fieldman walked straight across from the yard office to the track concerned, which was called the heating plant track. In the meantime, the engine was to move west 200 or 300 yards and then back over two sets of crossovers and through another switch. The arrangement was that the pin puller was to stay at one crossover, the yard foreman would stay at the shop track switch and the

engine would back in where the fieldman was ready to make the connection to the cars, and they would come right back out over the same track again, back to where they commenced this movement from, with these cars they would lift. They did so, connected on, and the proceed signal was given by the fieldman --

BY THE CHAIRMAN:

Q To whom?

A To the engineer, and they proceeded out of the track. On this track, there is a sharp left-hand curvature to go out on to the track and the engineer could see nothing.

Q Was this a yard engine or a road engine?

A A yard engine. He could see nothing. The fireman could see, at the time the movement started, could see that the switches were all still lined for the movement. There was a pier of the bridge that obstructed the view for a short distance, the fireman's view, that is, of the switches, and then there was a short distance where he could see them again before reaching the fouling point.

In the meantime, a train, a diesel-powered train, proceeding east out of Moose Jaw on the eastward track, which was the first of these tracks that they would connect with, the yard foreman gave them the switch without stopping his own movement, and when the engineer stopped his engine on a whistle

signal from the approaching train, they had fouled one another.

In that case, the switch foreman who had made the mistake or who had done the wrong thing got 15 demerit marks, while the engineer, who could not see any portion of that, got 20 demerit marks and the fireman in that case, for failing to keep a proper lookout, got 40, I believe, but the engineer got more than the switch foreman, despite the fact he could not see any portion of the movement.

Q That is the way you would say that rule is applied to the crews of the engine and the yard, and in this case they are jointly responsible, even though a member on either of those crews could not see, he gets the same penalty?

A That is right, sir. He is a party to the violation of the rule.

BY MR. LEWIS:

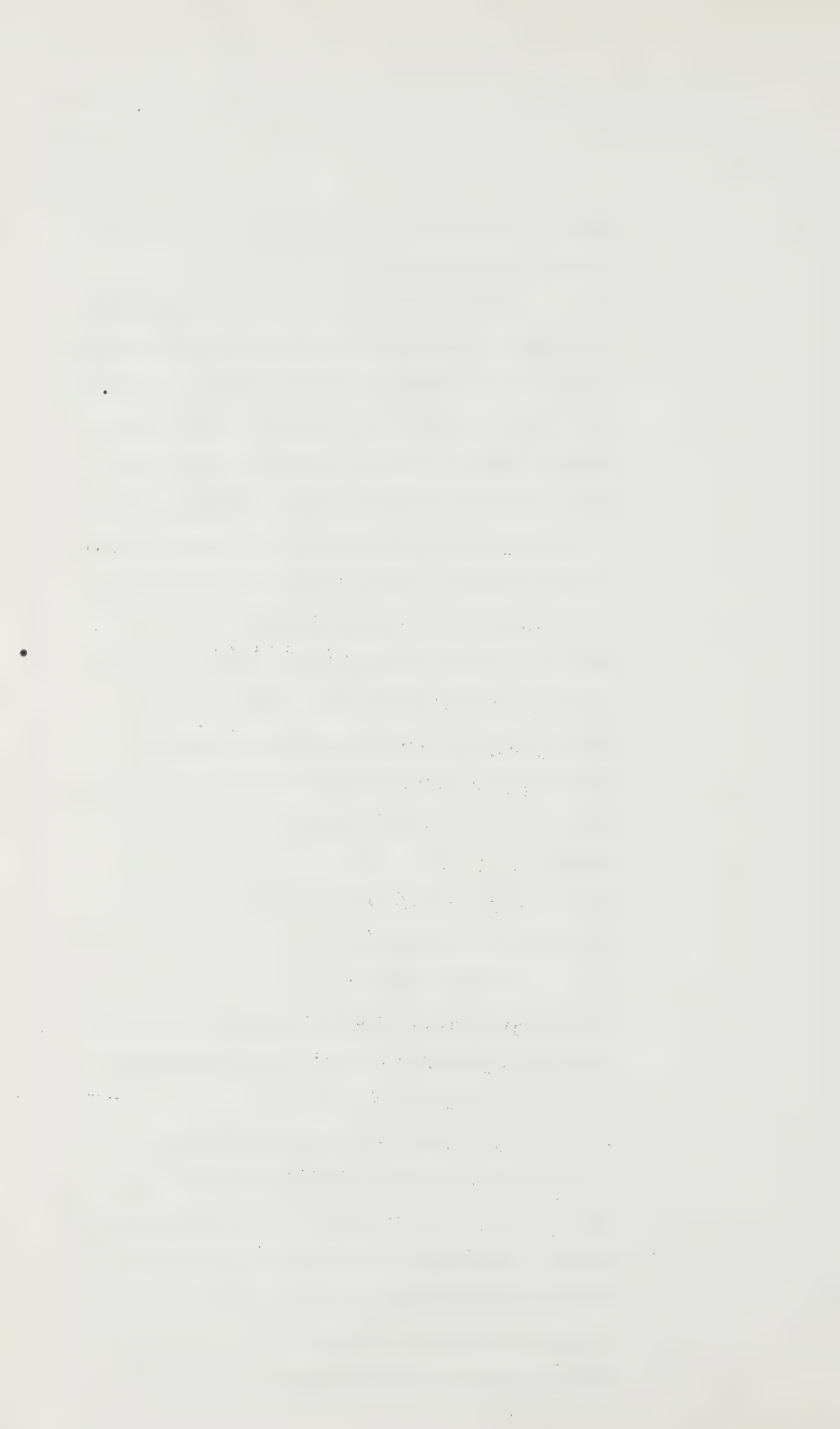
Q The engineer got 20 demerit marks, 15 for the switch foreman and, so far as you remember, 40 for the fireman?

A So far as I recall, 40 for the fireman.

Q For failing to keep a proper lookout?

A That is right. He had this short distance when he could have seen that the switch foreman had taken this switch away from them, but apparently did not see it.

Q For the record, do you remember the name of



the engineer?

A His name was Romanuck.

Q And the fireman?

A The fireman's name was Chambers.

Q Do you remember the name of the yard foreman?

A His name was Dean. He was a yard foreman
and a relieving yardmaster.

Q He is also a relieving yardmaster?

A He was.

Q You say it happened last summer, could you
be closer as to date in case Mr. Sinclair
would like to look it up?

A The date was just prior to the first of July,
I would say it was the 29th or 30th of June.

BY THE CHAIRMAN:

Q Take the case of a road engine, Mr. Doull,
and something occurs on the left-hand side
that should have been seen but the engineer
could not see; have you had any experience
as to how the discipline is applied in such
a case?

A Well, if it involved a violation of the rules,
the engineer would be disciplined.

Q But as between the fireman and the head
trainman, what? They are both there and
something occurs on the left-hand side which
involves a breach of the rules, how is the
discipline applied there?

A Well, if it involved a breach of the rules,
as a rule where the engineer gets demerit

marks the fireman generally gets practically the same as the engineer, and as a rule the trainman will get much less, if any.

Q Is that your experience?

A That has been my experience in the past, yes.

Q Why is that?

A Well, we have often wondered why ourselves, sir. I cannot give you a definite answer as to a reason for it.

Q You would say they are both on the left-hand side, and they both should have seen and presumably should get the same penalty; is that the way you look at it?

A That is the way I would look at it, yes, sir. We had a recent case, as a matter of fact -- this did not involve only the left-hand side, but a case on December 23rd --

BY MR. LEWIS:

Q What year? You said December 23rd?

A Of 1956. This involves a whole lot of rule violations by various people, but resulted in the engineer and fireman being dismissed and the trainman on the head end received some demerit marks, but did not lose any work.

Q What were the relevant details of that case? Was this a road engine or a yard engine?

A A road engine, both steam engines involved in that case, which occurred at Rush Lake, Saskatchewan.

Q What kind of steam engines?

- A One an oil burner and one hand-fired.
The fireman that was dismissed was on the hand-fired engine.
- Q The engineer and fireman, you say, were dismissed?
- A Yes, sir.
- Q Were they both on the same engine?
- A Yes.
- Q On the hand-fired engine?
- A Yes.
- Q Go ahead.
- A Well, I can give you my view of the case from what I heard from representing both these engineers at the investigation. There was a westward train having made a Secretan turn. He had two cars and a caboose. He had to pick up elevator cars on the elevator track at Rush Lake. They went in to the elevator track, picked up the cars, and coming out they were contacted on the cross-over on the rear of the first car behind the engine by this eastward train. The eastward train had seen the situation from a point about two miles out of the town, saw everything, saw that the cars were on the westward track and the engine was on the elevator track and the engineer reduced his speed.

Then, afterwards, he released his brakes again and then, when this movement started out of the elevator track and made

a movement against the current of traffic, he applied his brakes in emergency, but failed to stop. He went actually 18 inches foul and did a little damage to two cars. There was no attempt to observe the rules requiring protection of the crossover movement.

BY MR. LEWIS:

Q No attempt by whom?

A By this westward train, the one that crossed over.

Q The one that crossed over from the elevator tracks?

A Yes.

Q This 5200 engine?

A Yes, sir. They had not protected their crossover movement or their movement against the current of traffic which they had to make on the eastward track and the oncoming train. The crew was dismissed for a violation of Rule 93, that is, in not knowing that the track was clear through the yard limits. The whole point being that they had seen it clear prior, that it was clear except the switches were not lined for it, and the whole crew could see through the yard. Then, the movement came out and, as I say, they passed the fouling point and did damage. The engineer and fireman on the eastward train being dismissed from the company, and the trainman received some demerit marks.

Q This was the hand-fired engine?

A That was on the hand-fired engine.

Q Have you any idea why the engineer and fireman were dismissed and the head end trainman given only demerit marks in that situation?

A No, I do not know.

Q Have you any opinion as to what the thinking might have been behind that difference in punishment?

A No, I could give no suggestion as to that.

Q Are the engineer and fireman still dismissed, do you know?

A Yes, sir, still dismissed, or were the last time I heard of them.

Q Which was when?

A Which would be May 1st, I guess.

BY HON. MR. McLAURIN:

Q If you are dismissed, you are dismissed, are you not?

A Sometimes a revision is made on appeal.

Q You may be suspended and come back, but if you are dismissed, do you come back?

A Sometimes if you are dismissed and appeal on sympathy you receive consideration and a man may return to work.

BY MR. LEWIS:

Q I suppose it would go through the machinery provided in the collective agreement if there was any objection to the dismissal, is that right?

A Yes, as a rule.

Q Now, have you had any experience with regard to an engineer having to be relieved for one cause or another?

A Well, we had an occasion, myself, of having to be relieved in order to keep the engine working, not in any dangerous circumstances, actually. I had been off with a broken back and when the doctor okayed me to go to work in yard service, I went to work on November 16 last and found that the vibration of the engine and the constant turning and so on made my back so painful I could not keep on working. I gave the engine to the fireman and I could get comfortable in the fireman's seat by sitting with my back to the side windows and only having to turn my head to keep a lookout.

I did that the first three days I was working after having found that little rests fixed the back up again. I continued to work and for about the first three days I had to do that until my back strengthened up enough to let me continue to work an eight-hour shift.

Q Have you had any experience where you relieved the engineer you were working with as fireman, either on diesels or steam engines?

A I recall on a steam engine I was regularly assigned to, a way freight out of Regina; I do not recall just what year it was, but the engineer took sick and said he would have to go back to the caboose. I cannot recall what his trouble was or anything else, but it could not have been very serious because after I operated the train for about two towns or three towns he returned to the engine and said he felt much better.

Q Do you remember that engineer's name by any chance?

A The engineer was Gee.

BY THE CHAIRMAN:

Q He rode on the caboose?

A He rode on the caboose for two or three towns.

1. The first part of the report is a general introduction to the subject.

2. The second part is a detailed description of the methods used in the study.

3. The third part is a discussion of the results of the study.

4. The fourth part is a conclusion and a list of references.

5. The fifth part is an appendix containing additional data and figures.

6. The sixth part is a summary of the main findings of the study.

7. The seventh part is a list of the authors and their affiliations.

8. The eighth part is a list of the titles of the papers presented at the conference.

9. The ninth part is a list of the names of the speakers and their topics.

10. The tenth part is a list of the names of the organizers and their roles.

11. The eleventh part is a list of the names of the sponsors and their contributions.

12. The twelfth part is a list of the names of the participants and their contact information.

13. The thirteenth part is a list of the names of the reviewers and their comments.

14. The fourteenth part is a list of the names of the editors and their roles.

15. The fifteenth part is a list of the names of the publishers and their addresses.

Q And left you in the engine?

A That was a way freight and I was in the engine alone. That was a long time ago. As I mentioned before, it was quite common, particularly on way freights, that the trainman would not ride on the engine.

Q You felt perfectly safe?

A Well, I did not feel much of anything. I was quite young at the moment and I was more or less enjoying the opportunity of handling the train. I do not recall feeling unsafe.

Q How far did you travel like that?

A I would say we travelled roughly eight miles to the next town where we stopped and did some switching, and then another eight miles to another town. It was at least two towns and then the engineer returned to the engine.

BY HON. MR. McLAURIN:

Q Would that not be a violation of the rules for the front end man not to be on the engine?

A I imagine it was a violation of the rules, but it was a habit that was apparently condoned at that time.

BY THE CHAIRMAN:

Q How long ago would that be?

A I would say that was in the late twenties,

1928, 1929, in around there.

BY MR. LEWIS:

Q Is there any other instance of that kind, or is that all you have from your own personal experience?

A That is all I have from my own personal experience.

Q As an engineer of some years, what is your opinion about running an engine without anyone beside you who could be of assistance in case something happened to you?

A In case something happened to me?

Q Yes, personally; in case you became ill or something, running an engine without someone there to be able to take over the controls in case something happened?

A I would like to feel at all times, without considering the illness possibility, that there is somebody there to relieve me if I want to get off my seat at any time for some purpose. It might be sometimes just a slight discomfort that you have that you actually could stay on the seat, but you feel much better if you can get off it.

BY HON. MR. MARTINEAU:

Q Until what age does a fireman keep his job? Is there a retirement age?

A The retirement age is 65 years. Again

there are men who fire at that age, generally due to discipline, that they have been restricted to firing for some reason.

BY MR. LEWIS:

Q What would usually happen?

A He would usually in his turn be promoted to engineer, but sometimes after promotion to engineer he may be restricted to firing for disciplinary reasons or for some reasons never promoted to engineer.

Q What would be the general facts about people who have joined the railway as firemen, when they reach retirement age would they still be firemen generally, or not?

A Not generally, no.

Q They would have been engineers by then?

A Yes.

Q I do not suppose you have any idea as to the average age of firemen when they are set up as engineers; I do not mean qualified, I mean set up?

A No, sir, I could give no estimate on that because it varies with the business from year to year. We might have men firing this year who were engineers last year.

Q What happens in that respect? I intended to deal with this point a little later, but it does fit in more logically here.

What happens in that respect? Supposing business falls off and they do not need as many engineers, what is the practice?

A The practice is that in accordance with the provisions of the contract a reduction in the number of engineers is made as business falls off and those engineers exercise their seniority as firemen.

Q And go back to firing?

A Yes, sir.

Q And is there ~~or~~ is there not at the same time likely to be also a reduction in the number of firemen if there is a reduction in the number of engineers?

A That would depend on the condition of the firemen's board at the time. That is, it would usually follow that soon after the reduction in the number of engineers there would be a reduction in the number of firemen.

Q I think the Commission has heard about this. There is what I am going to call a regular firemen's board and also a firemen's spare board; is that right, whatever the names are?

A There are assigned jobs; there is pool service, which is a regular job except that you work not a regular train, and then there is the spare men who relieve the men on assigned jobs in the pool.

Q And in this case when you had a reduction of engineers and some of the engineers exercised their seniority to go back firing, if I might, Mr. Chairman, it would naturally result that the spare board people would likely get fewer calls? Would that be the result of it?

A As far as engineers displacing men firing passenger trains, and the passenger men then working through the pool, it would mean there would be more firemen on the spare board which would slow down the spare board and possibly result in cutting the number of firemen who could work.

Q At the present time if there is a reduction in work for engineers then you go back to firing?

A That is right, yes, sir.

Q Can you from your experience say what would happen if firemen were removed from road freight and yard diesel service and you had a cut in the number of engineers required?

A Well, as things stand at the present time the engineers would displace the firemen on passenger trains, and the firemen on passenger trains would not have jobs to displace anybody off.

Q Yesterday, Mr. Doull -- I will try to

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finish this morning if I can -- when giving the Commission some of the things which you taught engineers as Road Foreman of Engines, as well as what you taught firemen, you referred to fire hazards. Have you had any experience with fires on diesel engines?

A Not to any extent. I recall one occurrence on an Alco road switcher. They had a wood-lined cab and there was a short in a heater motor which is placed in the corner of the cab. It is an electric motor to drive the heating fan and apparently there was a short circuit in the wiring of that. It ignited the paint in that corner. That is how I discovered it, it ignited it. We found the corner of the cab burning. I found it during my patrolling of the engine.

Q Are there many cabs now that have walls, or whatever you call them, made of wood?

A I don't know just what class of engine came out that way, but I think most of them have no wood there. I would say the majority have not.

Q Have you had any other experience with fires yourself?

A There was another occasion where apparently a rag was left on the manifold

of the engine which was found burning.

Q These occurrences that you referred to, when did they happen? What job did you have when they happened?

A Road Foreman of Engines.

Q Do you have any opinion as to the value of patrolling engines with regard to fire hazards?

A Well, in these cases, while I discovered the fires at the start by patrolling the engine myself, the value actually would be more or less coincidental on finding the fire when it first started, I would say.

Q If you had not been on the engine as Road Foreman of Engines and therefore had not been there to patrol as you did as Road Foreman of Engines, would there have been any value in anyone else patrolling and finding those fires?

A The same value, the same as finding it if the man had patrolled at that time.

Q Were you able to do anything with this fire which you think started from a rag on the manifold? Were you able to do anything about it?

A All I did about it was to reach up and grab the burning rag and take it out on the catwalk and stamp on it.

BY THE CHAIRMAN:

Q What type of diesel was that?

A That would be on an Alco, I think it was.
I just cannot recall definitely.

Q A road switcher?

A Yes, sir.

Q Where is this manifold?

A It is on top of the engine, leading to
the stack.

Q Inside the hood?

A Inside the hood.

Q Could the fire have done any harm if it
had burned?

A I doubt in that position if it would
have done any harm unless through the
vibration of the engine or anything it
had fallen off there. It could pos-
sibly have ignited the fuel oil if
there was any leaking around, but in
that position I would not say it would
do any damage.

BY HON. MR. McLAURIN:

Q Did not we have some evidence as to the
flash point of this distillate, about
it being 450 degrees or something and
hard to set afire?

A I don't know, but they take a lot of
precautions against fire at all the
stations where it is handled.

Q They always take precautions against

fire, but did not you hear that evidence about the flash point?

A I recall the evidence, but I do not recall the particulars.

Q One person said that you could throw a match in there without setting it afire.

A That may be quite possible.

BY MR. LEWIS:

Q Do you know anything about that?

A No, I am not qualified to comment on that.

HON. MR. McLAURIN: We have it on the record, and I think it is pretty well known too.

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BY MR. LEWIS:

Q Now, Mr. Doull, you said you had some experience in the yard, particularly from November 16 until the end of last year. Do you from your experience in the yard think that there is or is not any need for inspection of the engine before you start your tour of duty in the yard?

A Yes, there is very definitely a necessity for inspection of the engine.

Q Why, Mr. Doull?

A Well, while customs may be different at other places, the engine is not looked at by anyone else in Moose Jaw, and I think in the six weeks I was in the yard I would say that at least on four occasions I found the engine on inspection to have missing brake shoes. I also found sanders not working, and generally for that reason I say it would require an inspection.

Q Could you as engineer do all the inspection yourself or would you or would you not require assistance in making it?

A Oh, I don't know that there is too much for assistance. The helper in Moose Jaw generally marks up the log book that is on the engine and for that reason he checks the amount of fuel that we have. They call for notations in there as to the amount of fuel you have at the beginning of the

shift, the amount you have at the end of the shift, and certain pressures enter in there too. I was not entering them myself and I don't recall exactly what was called for. There are about five or six entries made in the book.

BY THE CHAIRMAN:

Q Is there any shop staff at Moose Jaw?

A Yes, sir.

Q Do they have nothing to do with getting yard engines ready?

A These yard engines work 24 hours a day and they are usually sent to the shop track a little early on each shift so the other crew can get them ready to take them out, but there is no regular maintenance check on them between these shifts. They get their monthly check and any work that we want done we can get done by the men there, but it is generally found by the engine crew.

BY MR. LEWIS:

Q And you draw it to the attention of the maintenance staff, do you?

A Yes.

Q Through this log book or how?

A Well, the log book, a record of defects is put in that that you have noted that does not interfere with the immediate operation of the engine. However, if you came in with a defect such as a missing brake shoe

or something we generally go into the round-house and fill out the MP-74 there and also due to the fact the engine is only going to be in a short time we will as a rule locate a foreman and tell him what is required on the engine.

BY THE CHAIRMAN:

- Q Is a missing brake shoe a serious thing?
- A It is on the yard engines, sir, where you need all your brakes.
- Q Then the one that you found when you took over the engine, that should have been discovered by the preceding engineer?
- A Should have, but I found that on at least -- I would say at least four occasions, possibly more, I found the engine with a brake shoe missing.
- Q Does the departing engineer not make any check of his engine before he steps off it?
- A Yes, he does.
- Q And he should have discovered that?
- A He should have discovered it, yes, sir.

BY MR. LEWIS:

- Q Were there any protective devices on the yard engines that you worked?
- A Well, they have ground relay and they have overspeed, diesel engine overspeed.
- Q And did you have any experiences of any of these devices sounding an alarm?
- A They did not sound an alarm but on several

occasions the engine stopped due to diesel engine overspeed.

Q And who, if anybody, did the resetting of that?

A Well, in this case, in my cases the fireman -- it was a regular fireman -- he did it but you would be stopped and while he did it I was doing nothing but sitting waiting for him to finish with it.

BY THE CHAIRMAN:

Q You could have?

A Yes, sir.

BY MR. LEWIS:

Q And did you or did you not call the shop staff to do that?

A No, I did not.

BY THE CHAIRMAN:

Q I do not suppose you would ever call the shop staff to reset a device unless it tripped more than once, would you?

A You would not call them unless you were having continual trouble with it.

BY MR. LEWIS:

Q Can you give the Commission any experience of yours in the yard from the point of view of lookout?

A From the point of view of lookout --

Q On the left side, on the other side?

A Well, it was quite a common thing -- these yard engines I worked I worked directly in front of the main yard office and we worked

mainly handling fast trains going through, the switching of them, and our crew would often go into the yard office for instructions, find out what was on some incoming train that we were expecting.

BY THE CHAIRMAN:

Q What crew?

A Our yard crew the ground crew, leaving us sitting there.

BY MR. LEWIS:

Q When you say "us", yourself and the fireman?

A Myself and the fireman, yes. They would come out of the yard office and depending on what they were going to do, sometimes the pin puller would come down himself and say, "We will put the engine out of the road; we have got to wait a little while." At other times the three of them would come out to proceed and do some switching, and I relied on the fireman telling me that they had all come out, and sometimes two of them would get on the left side steps while the other one crossed over and gave me the signal to go ahead.

BY THE CHAIRMAN:

Q The nose of the engine?

A The steps at the side of the front of the engine, yes, sir. It was quite common for one of these pin pullers to cross over in front of the engine and give the go-ahead signal as soon as he got there and in the meantime one

of the other members of the crew would be following him over to that side and quite often the fireman said to me, "Don't move, this man is crossing over too."

Q Then you mean by that that the signal that you got should not have been given?

A He should have waited until the other man had got clear, but what would cause that was the fact that at one time two members of the crew would climb on the left side steps and the next time one of them would decide to go over to the right side.

2) Q But there is a right and a wrong way of doing these things and you say that was wrong?

A Yes, it was.

BY MR. LEWIS:

Q Would you or would you not ask the fireman or helper about things on the left side when you got a proceed signal from the ground man?

A Oh yes, and where it was necessary -- I worked on a piece of territory where I could generally see myself what was going on but I used to have to ask him when we were working on a lead particularly and there would be trains coming in from the west and trains going out to the east and south off this lead and a road engine would be backed into one track and I am working up and down the lead and it would sometimes start to pull out and I would ask about what the road

engine was doing, whether he was staying there, going to move, and ask if cars were clear occasionally.

Q It has been suggested in evidence here that in yard service the engineer does not require anyone in the cab, on the other side of the cab, that it is his duty to follow the signal instructions of the ground crew and that if the ground crew carried out its duties carefully and properly they would be able to give him the signals without endangering anything or anybody. Have you or have you not any opinion as to running a yard engine without anyone in the cab on the left side of that engine and relying entirely on the yard crew?

A Well, my opinion is that I would not like to do it and I don't think I could get by too long without probably something happening.

Q Why do you have that opinion?

A Well, there are so many movements around the yard, road engines coming back and forth bringing in trains, doubling them over and so on, that your yard crew has not got full control of everything that is going on around you.

Q And is the Moose Jaw yard a very busy one?

A Well, it is a main line yard, has trains working through on the main line and also

several branch lines. There is quite a bit of traffic in and out of the Moose Jaw yard.

Q Are there people other than the ground crews connected with trains and the engine crews working in the Moose Jaw yard?

A It would be the same as any other yard, various classes of men working in there.

Q And do you or do you not have in the Moose Jaw yard people who are not directly connected with the railway at all crossing the yard or having things to do in the yard?

A At certain points in the yard there would be traffic across it.

Q And would that movement of people, in addition to these trains you mentioned, have any effect with regard to your opinion as to working an engine by yourself as an engineer?

A Yes, I would say so.

Q Do you or do you not have any experience in Moose Jaw with people in the yard who not only have nothing to do with the railway but are just trespassing there and have nothing to do in the yard themselves? Is there anything like that?

A Well, there is a couple of places towards the east end of Moose Jaw yard where people quite regularly cross over. I never worked that particular portion of the yard while

I was in it so I could not give much of an opinion about how many use it but I have seen it when I was moving back and forth with road engines. We have seen people crossing there and more or less a regular path.

THE CHAIRMAN: These are trespassers?

MR. LEWIS: These would be trespassers.

BY MR. LEWIS:

Q Now, Mr. Doull, there was some discussion in the evidence as to the value or lack of it in the helper on the engine advising the engineer about car lengths when you are pushing cars in.

THE CHAIRMAN: You mean avoiding rough couplings?

MR. LEWIS: Avoiding rough couplings and so on.

BY MR. LEWIS:

Q What is your opinion of the use of car length signals and its necessity, its value?

A Oh, I think they have quite a value so the engineer can estimate his speed.

THE CHAIRMAN: I thought that was done by the hand of the brakeman.

BY MR. LEWIS:

Q Can you not get that from the manner in which the signal is conveyed to you by the ground man who is observing that part of the work?

A You mean by use of an easy signal?

Q Well, whatever the signal may be, Mr. Doull, somebody conveying to you --

A Well, the yardmen do not as a rule give car length signals, not around our place. That is one of the big differences between trainmen and yardmen, is that trainmen always give car length signals and the yardmen do not.

BY THE CHAIRMAN:

Q What does a car length signal look like?

A It is just a flick of the hand or the lantern and the number of flicks of the hand or lantern denotes the number of car lengths.

BY MR. LEWIS:

Q Is there no other way that the ground man can indicate to you to speed up or slow down so that you get the same result of avoiding rough couplings as you would by being given an estimate of car lengths?

A Yes, by giving you a go-ahead easy, but there is a big difference between knowing how far you are going and knowing when you might get that easy signal from the yardman.

A.C.Doull

MR. LEWIS: Mr. Chairman, I cannot carry out --

BY THE CHAIRMAN:

Q I suppose the yardman who is down on the ground is closer to the narrowing place than you or the fireman, is he not?

A Yes sir.

Q He should be able, one would think, to communicate that information to you better than a fireman who is farther away?

A He would be able to, yes.

The thing is that say that the fireman said, "Three car lengths," and I start slowing down. In the meantime it might be that the trainman is not going to give me car lengths at all but he will stop me on the closer approach to that car, walk over and adjust the knuckle and then say go ahead again. In other words, if he was going to stop the movement without making a coupling he would not give any car lengths.

Q Again there must be a right and wrong way of doing these things and surely the man on the ground is the man to do it?

A That is right, sir. The man on the ground has the responsibility to give the signals the right way. I was asked if it was any advantage to know the car lengths and I say it is an advantage in controlling your

speed.

Q But my question is why cannot that information be passed to you by the man on the ground better than by the fireman with his eye seeing it?

A Yes, if the man was so inclined as to give the extra signals --

Q But that is the point. It is not a matter of inclination. Is it not rather a matter of what he is required to do by proper railway practice?

A I do not say that he is required to do other than use his own judgment in the giving of signals. I mean, there is nothing specific laid down about how he will --

Q I know, but if this is information the engineer should have in order to enable him to carry out his job, I would expect to find then that the man who was in a position to know that information has the responsibility of giving it to the engineer. I could not understand any railway operation or any other operation apart from a basis of that kind. That is what I want to learn.

A I quite agree with all that you have said in that regard, sir, and that is the practice but any additional information that you can get makes the movement easier.

Q Could I get it in this way? Are there occasions when you get car length information from the yard crew?

A Well, yes, on occasion you will, but not as a rule.

Q Well then, if this is important information which you should have there is no reason why it should not be given to you every time, is there?

A I would say there is no reason.

Q Did you ever complain to your superiors that you were not getting the proper information in order to enable you to carry out your job in that respect?

A No sir.

Q Well, would that not be the proper way to handle a situation like that?

A If there was such a thing as not getting sufficient signals to make the movement, yes sir, but any movement can be made without car length signals.

Q Without damage?

A Without damage, yes. All it requires is a go ahead and eventually a stop signal and then eventually another go ahead when you are close to it to make the join.

Q Then this may be the way you like to have things done rather than --

A I was just talking from an engineer's point of view, sir.

Q Your own private point of view?

A Yes sir.

MR. LEWIS: I still have a few questions which will not take very long -- perhaps a few minutes, Mr.Chairman. I do not know whether you would like to adjourn for lunch or not.

THE CHAIRMAN: Oh yes, I think so. We will adjourn. I see that we have gone over a little time already. We will resume at 2.05 p.m.

-- The Commission adjourned until 2.05 p.m.

Tuesday,
May 14, 1957

AFTERNOON SESSION

-- The Commission resumed at 2.05 p.m.

THE CHAIRMAN: Mr. Lewis, there has been some informal discussion about Friday and I think if we get started at 9.30 a.m. on Friday -- and if that is not too early for counsel for witnesses -- and go through to one o'clock in the afternoon we could then adjourn until Monday; that is, the following Monday or a week Monday.

MR. LEWIS: Yes sir, a week from Monday. I would^{be} perfectly agreeable to that unless I am lucky enough, sir, to get a reservation on the 1.15 -- or something like that -- plane in which case I might make a request that we rise a half hour earlier; but I am not doing that now because I have not got it.

THE CHAIRMAN: Very well.

MR. LEWIS: It is understood that we start at 9.30 o'clock on Friday.

THE CHAIRMAN: Yes. Is that all right, Mr. Sinclair?

MR. SINCLAIR: Yes sir.

MR. A.C.DOULL, Recalled

BY MR. LEWIS:

Q Mr. Doull, I would like you to comment to the Commission, if you will, on your experience as to the visibility on the various diesel engines that you know of working in the yards?

A Well, I do not think there is any better visibility forward with a diesel yard engine than we had on lots of our steam yard engines that were made for yard service. Of course, the visibility backing up without cars is much better.

Q You are now talking about a yard diesel?

A Yes. However, I have seen one example of a yard diesel when I was at home this time during the Easter recess working there that had no visibility at all to the rear. It is not a yard engine. It is a road engine used in yard service. It is what they call a Trainmaster 8900 equipped with steam generators and there are no windows to the rear at all on that engine. It is an engine that operates on overnight passenger service between Moose Jaw and Winnipeg and during the day time works as a regular yard engine in Moose Jaw.

Q You say it works a regular yard shift in Moose Jaw?

A Yes.

Q You said that the regular yard diesel has good

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visibility back if there are no cars attached to the back end of it. What if there are box cars coupled to the back end?

A Well, if there are box cars coupled to the back end then you have less visibility -- or, rather, you would have no better visibility than you would have with any steam engine backing up with cars coupled to it.

THE CHAIRMAN: Is it Exhibit 100?

MR. LEWIS: The Trainmaster class is Exhibit 100, Mr.Chairman.

BY THE CHAIRMAN:

Q When you say there is no visibility backing up, I suppose you mean unless the engineer puts his head out the window?

A Unless you lean out the window, sir.

BY MR. LEWIS:

Q Now, Mr. Doull, could you describe to the Commission, please what from your experience and observation is the practice of the 3-member yard crew. What I mean is are they always working together in the work in the yard or are they not always together and what is the practice?

A As you know, I have not done much yard work in recent years but during the six weeks I was in the yard I worked with four different yard crews and the only time you would actually be sure of having the man designated as the

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pin puller continually within reach of the engine, as it were, was when he was an inexperienced man and then he would stay in the vicinity of the yard engine so that he could follow the movements. With an experienced yard crew they are constantly rotating in the performance of their duties and in their attempts to do them in the most efficient manner.

Q You referred to a "pin puller". That is the same as the "engine follower"?

A That is all I ever heard him called.

Q But is that the member of the yard crew we have been calling an engine follower?

A Yes.

Q You said that an experienced yard crew constantly rotated in their work in order to get it done efficiently. Would you explain that a little more in detail please?

A Well, I imagine it would be different in certain forms of industrial switching but working in this yard where trains were arriving and departing they would rotate in that I might find that I have got the foreman actually with the engine at certain times because the rest of the crew is experienced and know just what has to be done and they understand the job and as they are closer to some point they would go and do that job.

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Q What job would that be, for example?

What would be the nature of it?

A It might be just in connection with the switching. One might pass the other in switching movements. On the other hand we might be working with two men while one is away bleeding off cars on another track or checking^a/cut of cars against his switch list.

Q What do you mean "bleeding off cars"?

A Bleeding the air off them.

Q Or, as you say, he might be checking the cars on another track against the switch list. Would there be anything else that would take one or more members of the crew away from the immediate job which you, as engineer, were concerned with?

A Well, there are phones in certain places in the yard. The foreman might have gone to phone the yard office for some further instructions about something.

Q From your experience in the yard over the 6-week period from November 16, 1956 to the end of the year, what proportion of the time would you say, if you can make any estimate, would you have all three men of the ground crew working with your engine at the same time?

A No, I could not make an estimate because

it would vary with the work being done.

Q Well, would they be together more often than not or would there be any difference in your experience?

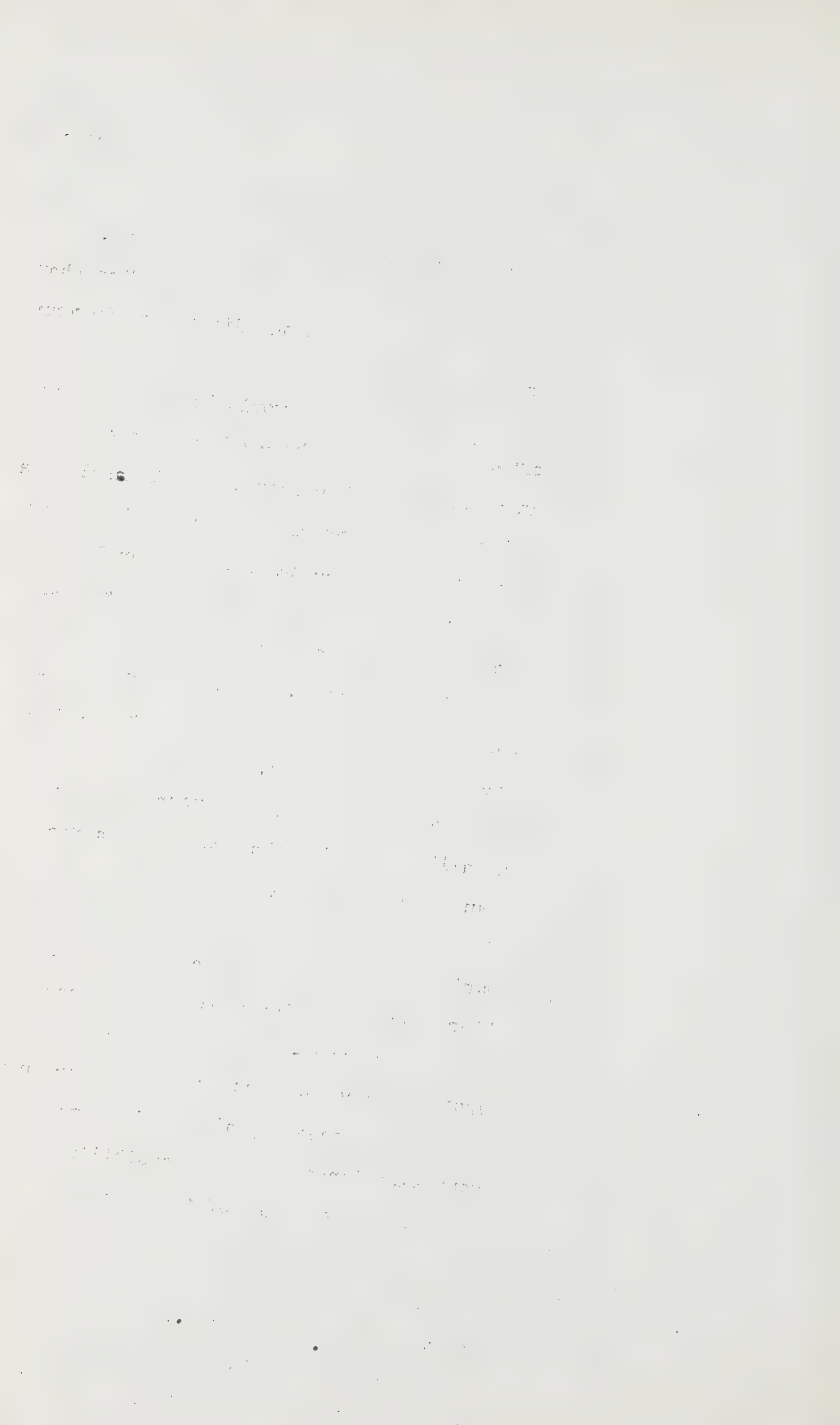
A I would say that they would be probably more often than not all three of them somewhere in my sight whether they were all handling a switching movement or not because if it was a short movement -- we will say handling a short cut of cars -- probably one man would stand back. There is no necessity for every body giving signals. He would may be stand back and have a smoke while he was watching the movement going on.

Q But that would not affect your movement at all? His doing that would not affect your movement at all?

A Oh no.

Q During some of the evidence given, Mr. Doull, there was a question arose -- I raised it on instructions -- as to the clearance when spotting cars in front of grain elevators. Would you please explain to the Commission your experience with the possibility of signal giving and spotting cars at grain elevators?

A Well, signal giving from my experience is always given on the side away from the elevators which of course at times becomes the left side of the engine. The clearance



between the engine or cars and the elevator would appear to me to be quite restricted particularly about in line with the engineer's head where they have to be very careful on account of the grain spouts hanging down there.

Q What are they like?

A That is the spouts that they use to load the cars with, they are flexible metal and I would estimate about eight inches in diameter, somewhere in that vicinity.

Q Do they jut out? What is their position in relation to the elevator?

A They are fitted fairly high on the elevator on a rigid pipe, and then they hang down to be handy where an elevator man can swing them into the car for the purpose of loading the car. He will swing them in towards one end and load that, and then swing it back towards the other end and get the load into the other end of the car. They are flexible metal, connected together by chains, that is, flexible sections.

BY HON. MR. McLAURIN:

Q Like a metal elephant trunk?

A Something the same, sir.

BY MR. LEWIS:

Q Would the diameter also be the same, would you know?

A I could not comment on that, sir.

Q You said in your experience when spotting cars at elevators the signals are given on the side away from the elevator. In your experience, is it possible to give them on the other side, on the side next to the elevator?

A I would not consider that it was possible.

BY THE CHAIRMAN:

Q In no case?

A I do not think so, sir. In lining up a car for the spout, and giving the signals, the trainman is usually a considerable distance out from the elevator, so he can see the top of the spout over the car and line it up with the centre of the door. Once they get into the track, I assume it might be possible to do it by standing on the platform in there, go through the elevator and get on the platform, but unless he was well out on the platform you would not be able to see him because the engineer generally keeps his head pretty well in on elevator tracks, or the man closest to the elevator does, to avoid these hanging spouts. But it would be probably a long, slow job. They might be standing on the platform which is between the elevator and the cars that the elevator man himself uses for moving in and out of the car and the elevator.

BY MR. LEWIS:

Q Now, Mr. Doull, from your experience as an engineer, as Road Foreman of Engines, as well as in your firing experience, what is your opinion of the training which a fireman gets on passenger engines, assuming that he had no other firing training at all, that he

had never been on a yard engine or on a freight engine, and had had experience only on a passenger engine?

A Well, it was my opinion as indicated in the previous evidence of what I did myself, that on my return from naval service that I did not think a man would learn very much in passenger that would be useful to him in freight service.

Q Why is that, would you please briefly give the Commission various elements of experience needed in freight service that you think cannot be obtained in passenger?

A Well, in passenger you would learn practically nothing of the grades on the road because you are handling light trains, usually well powered. You never do any switching, and by proceeding with rights over everything else, which passenger trains have, rights over all trains, in the normal course of their travelling you would have no experience with figuring out your time for making meets of freight trains or anything else. I consider that the experience in passenger would be of very little use to a man going to become a freight or yard engineer.

Q What time do you think it would take to train a fireman who has had no other experience than on passenger service to become an engineer in yard service, first, and then

in freight service; let us deal with yard service first?

A I do not think I could make an estimate on that at all.

Q Would it be possible at all to train him to become an engineer in yard service without his having firing experience on some other than passenger service or helper experience on some other than passenger service, in your opinion?

A Well, that is a matter that I have given much thought to, but I do not know just what form of definite instructions would replace the learning a man gains from experience, actually.

BY THE CHAIRMAN:

Q Well, in this case it would be observation, the fireman in freight service seeing what is done?

A Yes, sir.

BY MR. LEWIS:

Q Would it be, I mean, Mr. Chairman, would it be limited to observation as to what the engineer does, or would he have an opportunity to do more than that if he were a qualified engineer as well as a fireman?

A Well, what do you mean by that, sir?

Q If the fireman were a qualified engineer for freight, he was qualified, he had passed the mechanical examinations and the rule books and so on, and was a qualified engineer

travelling with an engineer, would his experience then necessarily be limited to observation or might he have an opportunity to learn more than from observation?

A No, as a rule a fireman in freight and yard service is given an opportunity to practise what he sees.

BY THE CHAIRMAN:

Q You mean by changing off with the engineer?

A Yes. On select portions of the road, let the fireman handle the train where the movement would not be too dangerous, and start him off until he gets a little practice added. It is quite a regular thing to let them handle the train or the yard engine for a portion of the road.

Q It is an understood thing, is it?

A Yes, sir.

Q It is left to the discretion of the engineer?

A That is right, sir.

BY HON. MR. MARTINEAU:

Q I suppose there is no other way for the fireman to learn unless he tries out like that?

A That is about the only way, yes, sir.

BY MR. LEWIS:

Q During the evidence which has so far been given to the Commission by witnesses that my learned friend Mr. Sinclair called, there was the suggestion that the presence of the

fireman was, in the opinion of some of the witnesses, a distraction to the engineer. Now, as an engineer, and in your experience, have you had that kind of feeling or experience that the presence of the helper on a diesel engine was a distraction to you?

A No, sir, I have never found him a distraction to me.

Q Would you have any opinion as to this suggestion that his presence might, in circumstances, be a distraction to the engineer or to the other members of the train crew?

A I do not know how he would distract the engineer unless he started telling him a story or something and the engineer would be very remiss in his duties if he permitted him to do it when he should have his attention some place else. The distraction, I would say, amongst the three members of the ground crew, when they are working they are often consulting together, that sort of thing, would be far more than any that could be affected on the engine between the fireman and the engineer.

Q Now, Mr. Doull, on the basis of your service and experience as outlined to the Commission, would you please be good enough to give the Commission your opinion as to whether you consider a helper on diesel engines in road freight service as of any value or use to the railway in performing the duties which the

train has to perform?

A Yes. Since the suggestion was made to remove firemen, I have given considerable thought to it, and it is my opinion that he is necessary in road freight service.

Q Why, in respect to what aspects of the work do you consider the presence of the fireman necessary in road freight service?

A It is quite possible that certain trains, when everything goes right and you have straight track, you are operating that, no action of any member of the crew is necessary, but usually when action is required by any one member of the crew it is required from all members, that is, if anything goes wrong the brakeman has to leave the engine, moves have to be made, there would then be nobody on the left side of the engine in switching movements. The same thing when the trainman has to get on the ground and leave you alone on the engine, and for that reason I think it is my opinion he is necessary on there.

Q In yard service, Mr. Doull, what is your opinion as to the usefulness of the helper on a diesel engine in yard service?

A Well, taken from the viewpoint of my yard experience on a busy lead, I would say I require him for the safety of the movements.

Q Was there, at any time in your experience with diesels when you had or expressed

any different opinion from the one you have just stated?

A Well, I never had any occasion to form an opinion or consider an opinion, but I do recall at a time, it was prior to me having any general experience in freight service with diesels and in yard service, that the Superintendent on the C.P.R. approached me --

Q Superintendent where?

A In Moose Jaw.

Q When was that?

A I do not know when it was.

Q Pardon?

A I do not recall the date.

Q What were you then, an engineer?

A Road Foreman of Engines. He suggested to me that diesels could be operated without firemen, and gave a bit of discussion about that, and on more or less a general principle I agreed with him at that time; but it was not an opinion that I was qualified to give, due to having had no experience in freight service or yard service.

Q Did this discussion with your superintendent where you agreed with him on general principles, did that take place shortly after you were made Road Foreman, or some considerable time after that?

A Some time after.

Q I think you have informed us already, but when did the Saskatchewan District become dieselized?

A The first diesels were put in there, I would say in March, 1954.

Q I thought you had informed us of that. If I remember correctly, you were promoted to Road Foreman of Engines in 1951?

A Yes, sir.

Q Can you recall whether this discussion with the superintendent took place before March, 1954, or after?

A I would estimate that it was just around that time, but it is only a guess.

Q Now, finally, Mr. Doull, as an engineer now in pool freight service would you tell the Commission what you would feel if tomorrow you were asked to take out a train powered by diesel locomotives without a helper in the cab with you?

A I would not feel that I could safely or efficiently do so.

BY THE CHAIRMAN:

Q Does that mean that you are just older than you were when you ran sixteen miles with nobody with you?

A Just older and more experienced, sir.

BY MR. LEWIS:

Q I am sure you can only give us what you know from your own knowledge, but could you say, Mr. Doull, whether your opinion as an engineer is or is not shared by other engineers with whom you come in contact?

A Any that I have discussed it with were of the same opinion as myself.

Q Have you discussed it with a relatively few or relatively large number of those with whom you come in contact?

MR. SINCLAIR: Now, Mr. Chairman, that is pretty broad. These people are not under his jurisdiction. He is not speaking to them in that way, it is just "Hi, Joe." He is not asking them for an opinion. It is very different from the type of question I put.

THE CHAIRMAN: It has been very broad, I think.

MR. LEWIS: Mr. Chairman, with respect, I think that Mr. Doull as local chairman of the Brotherhood of Locomotive Engineers in Moose Jaw; I would think that

he is very likely -- he can say if he did not -- in that position to have discussed matters of this sort.

MR. SINCLAIR: For this purpose?

THE CHAIRMAN: We will take it. We have to analyze and weigh these things.

BY MR. LEWIS:

Q Let me put it this way. Have you discussed the retention or removal of helpers from diesel engines in yard and road freight service with other engineers in Moose Jaw?

A I have in the course of casual conversation, not as a point of gaining any particular information from them.

Q And in those discussions what opinion have you gained, in those casual conversations?

A Just that the general opinion amongst any of the men who discussed the question was that they thought a fireman was necessary in road and yard service.

MR. LEWIS: Thank you.

BY THE CHAIRMAN:

Q Mr. Doull, so that I may appreciate your point of view. Suppose you were put in charge of a diesel locomotive or locomotives with a trainman and you had safely got the train out of the yard

or wherever you were and onto the main line with orders to proceed, what is this feeling that you have, what is this fear? What are you afraid of? What is in your mind?

A Safely out of the yard?

Q Yes, that is your train crew takes you safely out of the yard and you are on your way on the main line; what is this feeling that you have been describing?

A I have operated in trains where in the first place I never saw either the conductor or the rear-end trainman or never had occasion to have comment or make comment to either the fireman or the head-end trainman in regard to the safety of the train. The only comments would be the observation of the rules. However, it can never be guaranteed that that is going to happen, and it is only on certain very select trains that you get over the road in that manner.

Q I am not sure that that is an answer to my question although it may be that you intend it to be. What I have in mind is this: you are in the cab of a diesel locomotive and there is a brakeman sitting on the left-hand side and you have got the other two members of the train crew somewhere else on the train.

You get out onto, we will say, the main line from Moose Jaw to Swift Current with orders to go to Swift Current?

A Yes, sir.

Q Going over the road, what is this feeling that you have been describing that you have in your mind? I would like to appreciate it. Is it fear or what are you afraid of, or what is it?

A In the actual circumstances there would be no feeling of fear, it is more a feeling of doubt.

Q Doubt about what, if I may ask you?

A Well, I was going to proceed into clarifying that.

Q You proceed.

A In this direct running on the road with a trainman and no fireman that feeling of doubt would not be there. The feeling of doubt comes when you start into making some move when the trainman is on the ground.

Q That is when you get to some station en route where you are going to do some switching?

A Yes, or where we have probably had trouble on the road and had to put him out flagging on a double track or making a doubling movement due to stalling; any time when I may have to proceed without him.

BY MR. SINCLAIR:

Q Mr. Doull, you remember telling the Commission this morning that you relied on the fireman for a lookout ahead, for checking you on the observance of the rules, and for the general safe operation of the train; is that correct?

A I said that primarily, yes, sir.

Q Primarily; and then you went on to give the Commission all the situations in which you said I think that that view was maybe indicated by the assessment of discipline; do you remember that?

A Yes.

Q At Rush Lake; do you remember that?

A Yes, sir.

Q In which you said the fireman and the engineer on the westbound train were dismissed and the head trainman only received discipline; is that correct?

A That was on the eastbound train.

Q I am sorry, the eastbound train; yes, the eastbound train. You said you could not understand that? Remember saying that?

A I said we often wondered why that situation arose.

Q You represented the engineman on that investigation?

A Yes, sir.

- Q Were you there when the investigation was continued in its completeness?
- A Not the engineer's supplementary statement.
- Q Were you there when the statements were taken from all the members of the crew?
- A Yes, sir.
- Q Well then, you were there when the statement was taken from the head-end trainman on the eastbound train, were not you?
- A I do not recall his statement, but when I was there with all the crew giving statements he must have been giving it too.
- Q Mr. Doull, don't you remember what he said? Did he not protest to the engineer before entering Rush Lake and tell him to slow down; don't you remember that?
- A No, I do not.
- Q Don't you remember that the engineman responded to his protest and then did not carry through?
- A I remember what the engineman did, but I don't have any knowledge of the protest.
- Q Is not the reason that the head trainman was not dismissed was that he had protested while the engineman and the fireman took no action whatsoever?
- A No, sir, I did not know that.
- Q Was not the reason for the discipline

discussed at Moose Jaw in your presence?

A The discussion in regard to it at the investigation was in my presence.

Q You do not remember that?

A I am trying to recall whether the actual statement from the trainman was taken during my presence. I believe, if I recall correctly, that the statement was taken from the engineer and we then left the office.

Q That is why I asked you if you were there through the entire investigation?

A I was, if I recall, if I remember.

Q Did not you follow it through and find out from the company why the trainman was not dismissed when your engineman was dismissed?

A In discussion with their representatives?

Q You did know that?

A No, sir.

Q You did not follow it through?

A I was with their representatives, in discussion with their representatives, the organization.

Q You did not ask management why they gave the trainman so much less than they gave the engineman or anybody else?

A No, sir. We protested the engineman's discipline but we did not make it a practice to ask about other people's discipline.

Q . Especially in a case of this kind when there was some factor like that. Did not the engineman you were representing say anything to you about what the trainman did?

A No.

Q You are sure?

A I am fairly sure.

Q He never told you about that, Mr. Doull, before you went in to the investigation?

A No, sir.

Q About how he slowed down the train when the head trainman said to him, there is something in the Rush Lake yard, slow her down?

A It does not appear in his evidence.

Q I never asked you that.

A And he did not say that to me, no, sir.

Q You are sure of that?

A I am sure of that.

Q Did you ask him?

A No. I got the story from him as he claimed it occurred.

Q He never said anything of that?

A No, sir.

Q You are sure of that?

A I am sure of that. His statement in particular was that when he came around the right-hand curve at Mileage 93 he saw the whole situation at that point himself.

Q You say there was a supplementary statement taken but you were not there?

A I did not represent him at the supplementary statement.

Q When the trainman protested the move then it is only right, is it not, that when the fireman did nothing he would not receive the same amount of discipline; is not that correct? As a rules instructor is not that what you told him to do, to protest?

A I would say if he protested the move he should not have got any discipline.

Q Maybe he did not follow his protest and take effective action and that is why he might have got some discipline?

A There could be some circumstances.

Q Where he was not forceful enough in his protest?

A Might be.

THE CHAIRMAN: What would be effective action in such case that he would take?

MR. SINCLAIR: Mr. Chairman, he could have done a number of things. He could have said to him, "Now, if you do not slow down here I am going to take action by pulling the air." That might not have been so because the engineer is the senior man. He might have said to the fireman and to him,

"If you don't slow down we are going to have an accident; it is your responsibility fully and I am going to unload."

THE CHAIRMAN: I am going to what?

MR. SINCLAIR: Unload, get off.

That shows that he is taking the position that it is an emergent condition. Or he could have maybe used a little more forceful language on the engineman than he did.

HON. MR. McLAURIN: You mean some lurid expletives?

MR. SINCLAIR: No, sir. That generally does not bring action from an engineman. I think that maybe a little reasoning and some firm language is what I had in mind.

BY MR. SINCLAIR:

Q Now, you also represented the engineman on the westbound train at that Rush Lake affair?

A That is right.

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Q And he did not get any discipline, did he?

A Not that I know of.

Q And the reason he did not get any discipline was that the conductor was controlling the movement out? Wasn't that so?

A I don't know what the opinion was as to why he did not get discipline.

Q Well, the conductor was disciplined, was he not?

A He got some minor discipline.

Q And the engineman said he moved on the conductor's signal?

A No, sir.

Q He did not say that?

A No, sir.

Q That is what he did do, wasn't it?

A No, sir.

Q Whose signal did he move on?

A The rear end brakeman's.

Q Was the rear end brakeman at the switch?

A The rear end was headed in.

Q Was he at the switch?

A No, sir.

Q Did he take the signal from the conductor and transmit it?

A No, sir.

Q That is not so?

A No sir, not according to the statements made.

Q What about the fireman on the westbound train? Did he get any discipline?

A I don't think he did.

Q And the reason he did not get any discipline is he could not see because he was on a steam engine and there was a steam leak? Isn't that so?

A That is right.

THE CHAIRMAN: You mean by that he was attending to some steam leak?

MR. SINCLAIR: No sir, his vision was obscured by the steam and he could not see. He was sitting on his seat and could not see and not having seen what was taking place or anything about it he did not say anything and could not say anything.

BY MR. SINCLAIR:

Q Now, Mr. Doull, yesterday, with a certain amount of pride, I think you told the Commission in answer to Mr. Lewis that you had received but five demerit marks when you were a hostler in 1925?

A I guessed at the date. That is right, sir.

Q And you had not received any since that time?

A That is right.

Q Do you want to think that through a little bit?

A No, sir.

Q You are sure of it?

A Yes, sir.

Q You have got a good memory?

A Yes, sir, a good memory.

Q First class?

A A-one.

Q So that if you received discipline you would know about it?

A I would assume I would know about it, yes, sir.

Q Especially if you received discipline three times in one month for the same offence. You would remember that?

A Yes sir, I think so.

Q Mr. Doull, as a fireman is it one of your duties to make sure that coal is not left on the running boards of tenders?

A If I take coal on the road it is, yes, sir.

Q And you have to make sure that the tenders are clean?

A Yes, sir.

Q Before you move out, and that is a safety rule that has been codified in Exhibit 49 in these proceedings, the code of safety rules?

A I am not questioning that at all, Mr. Sinclair.

Q That is very necessary?

A Yes sir, hostlers are required -- hostlers' helpers are required to make sure when they take coal on a shop track that they clean off the running boards and the fireman taking it on the road is required to do the same at intermediate coaling stations.

Q The reason for that is that firemen being on the tenders may step on coal and fall off?

A That is right.

Q And also as the train moves over the road the

coal may go down and hit somebody on the right of way or at a station?

A That is right.

Q It is a very necessary precaution on coal-fired engines?

A I agree with that, yes, sir.

Q Do you not remember that in 1929 on three occasions within a week you were checked up on this and the first time you were given five demerit marks, the second time you were given five demerit marks and, not having learned your lesson, shall we say, the third time you were given ten demerit marks? Do you not remember that?

A No, sir, I have no recollection but it may be possible.

Q It shows on your record, Mr. Doull?

A Well, I was unable to check my record, Mr. Sinclair, so I will have to accept that although I have no recollection of it.

Q Now, Mr. Doull, in August, 1956, you were working on the road, were you not?

A Yes, sir.

Q Do you remember being involved in an affair with the tree planting car at Secretan?

A Very well, yes sir.

THE CHAIRMAN: With what?

MR. SINCLAIR: The tree planting car.

That is a demonstration car that carries a member of the Canadian Forestry Association and it has

One of the most important
aspects of the problem is
the need for a more
comprehensive approach
to the study of the
subject. This is particularly
true in the case of the
study of the history of the
subject, which is often
neglected in the study of
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to do with tree planting on the prairies.

THE WITNESS: That is right, sir.

BY MR. SINCLAIR:

Q Do you recall this incident now, Mr. Doull?

A Oh, I recall the incident very well.

Q You were assessed discipline in that case in the following language:

"Rough coupling to tree planting car No. 54 resulting in extensive damage to it and personal injury to occupant, Secretan, August 15, 1956."

Do you remember that occasion?

A I never received any discipline for that, Mr. Sinclair, to my knowledge.

Q Well, you got form 104 sent out to you?

A Well, they must have sent it by the long way around.

Q You made a heavy coupling then, didn't you, and tried to say that in your opinion the brake failed?

A I made a heavy coupling due to defective braking and there was no injury to the man, incidentally, because we talked to him. He had been previously injured in a rough coupling of that car and I understand that later his formerly injured back began to bother him and he had to take some time off after this accident, but I kept in touch with the office expecting, as the Forestry Association was involved in

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that, to get some demerit marks and up to the date of the limitations in the contract none were awarded and I never did.

MR. SINCLAIR: Mr. Chairman, I will see that a copy of the form 104 is filed with the Commission. That is the discipline form. If I recollect correctly, I think it is dated August 23, 1956, or somewhere around there, but I will file a copy of that and give copies to my friend.

BY MR. SINCLAIR:

Q Do you not remember that in that case, Mr. Doull, you said that the brake was not operating properly and tests were made after you said that and the brake did operate properly and that the enginemen that had that engine before that were all seen and checked and the engine was checked and there was nothing could be developed to substantiate any view that the brake would not operate properly?

A No sir, I don't know what was done about that.

Q Do you not remember the fireman's statement/in ^{to you} that case, that you had never said to him that the brake was not operating properly?

A That is correct..

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Q When you applied your brake just before the impact, did it not apply and did you not skid into the car?

A No, sir.

Q You did not?

A No, sir.

Q Were you not told that the trainman that was on the ground and who had given you the signal said you slid into the car?

A No.

Q You were going about 10 or 12 miles an hour?

A There was no trainman in a position to see whether I was sliding or not. However, we did not slide into it.

Q You did not?

A No.

Q You hit it a good wallop?

A I hit it at about five miles an hour.

Q Having put your brake on when you were going 10 to 12?

A Yes, sir.

Q Yesterday, Mr. Doull -- and this is at page 5013, I think -- you were talking about some trouble that engineman Robertson experienced on train No. 951 in the winter of 1955-56. Do you remember that?

A Yes, I recall it.

Q And you were going out behind him, and at page 5013 it says, "some hours" after he had left Moose Jaw you left and your estimate was about four hours?

A I said I was very doubtful of the time except a long time, and I would estimate probably about four hours.

Q But you were sure it was a long time?

A I was sure it was quite a while afterwards.

Q I have had the train sheets checked, Mr. Doull, and would you be surprised that you cleared the west switch at Moose Jaw 15 minutes behind him, according to the train sheets?

A Yes, I would be very surprised.

Q What time did you clear?

A I have no recollection.

Q You cleared it at 13.15k and he cleared it at 13.00k.

A Well, that is not my recollection of it.

BY THE CHAIRMAN:

Q What would you say about the record, Mr. Doull? Would it be correct?

A Well, there might be a variation but the variation would not be very much. The time of departure is usually given from the yard office at Moose Jaw. Our clearances will often show a train being out much earlier than it actually cleared Curle and got out of town, but the record should not be far off. It might be a matter of 15 minutes variation but certainly not more.

BY MR. SINCLAIR:

Q There is quite a difference between four hours and 15 minutes?

A Quite a difference, yes.

Q Now, Mr. Doull, on this occasion you came along and Robertson did not know what was the trouble with the diesel and so when they asked you to double-head him into Swift Current with your

steam engine you changed places with him and went back and looked at the diesel?

A Yes, sir.

Q You could not find out what was the matter?

That is what you said?

A I said that at Parkbeg before we double-headed him I could not find out what was the matter.

Q Then when you did go back and he changed off with you, did you find out what the trouble was?

A Yes, sir.

Q But you could not do anything about it?

A Dirty fuel filters.

Q Yes, and did you change them? Did you take them out?

A As I recollect we took them out, tried the engine, found that it worked O.K. That is my recollection of it -- between Secretan and Ernfold.

Q That is as I recollect your testimony yesterday, the purport of it. I am told by the shop foreman at Swift Current that this engine came in there without the filters being changed, with the filters still in and that the shop forces at Swift Current changed the filters, and he has a statement to that effect in an investigation the company conducted. Would you say the shop forces would be wrong?

A I would hate to say they were wrong but I have a fairly distinct recollection of the incident.

BY THE CHAIRMAN:

Q You mean when you took the filters out you left them out?

A As far as I recall, we left them out.

Q And did not put them back in?

A I did not put them back in, unless the helper did or Robertson when he took over the engine again did. He took over again at Ernfold.

BY MR. SINCLAIR:

Q Why would he do that, Mr. Doull? Are you not reaching a little bit in that answer to think that Robertson would go and put the filters back in, that you thought it was necessary to take out to make the engine operate?

A Well, only from the viewpoint that the engine was not necessary to the operation of the train as we had steam power on it and I could, as you say, reaching out, could think that Robertson might have been worried about going in with the filters out and that he might be criticized for it, but I am not contending that.

Q I did not think so. That was just a thought that entered your mind here?

A That is right, an idea.

Q Yesterday you were talking about the check list that you had made up yourself?

A Yes, sir.

Q Have you got it here? Would you mind showing it to me?

THE CHAIRMAN: It is the instruction list?

MR. SINCLAIR: It is this instruction list.

BY MR. SINCLAIR:

Q Mr. Doull, looking at this, and this is the only important point, this shows on the head of it, "Progress record of ----- engineman". It is for enginemen, is it not?

A That is right.

Q You never completed any such thing like this for firemen?

A I said that yesterday, that we did not keep progress records for the firemen.

Q This was a form made up to check enginemen?

A That is correct.

Q And it was your instructions as road foreman of engines to qualify and check enginemen?

A That is correct, sir.

Q And your instructions with regard to firemen were to instruct them only on the steam generator on diesels, were they not?

A No sir, I never had any restriction placed on the instruction to firemen.

Q You were told to instruct them on the steam generator, were you not, the firemen? Were you not told that?

A To instruct them on that, yes.

Q On the steam generator, and you were not told to instruct them on anything else?

A No, I was not told to instruct the enginemen on any particular thing.

Q You were told to qualify the enginemen to operate diesels?

A That is right, yes.

Q And you were told to instruct the firemen on steam generators?

A That is right.

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Q Those were your instructions, were they not?

A Yes sir.

THE CHAIRMAN: Would this be a good point to adjourn?

MR. SINCLAIR: Well, I think maybe the witness may want a break; it does not matter to me. But he has been answering my friend so he has to answer me.

-- The Commission took recess.

-- After recess.

BY MR. SINCLAIR:

Q Mr.Doull, concerning this progress report that you made up yourself, in answer to the chairman you said that you used that until you resigned as road foreman. Do you remember saying that yesterday?

A That is right.

Q And then you went on to say that as far as you knew it was still being used by the road foreman at Moose Jaw?

A As far as I know, yes.

Q Did you make any inquiries before you said that or was that just a guess?

A No sir, that is just a guess.

Q The road foreman at Moose Jaw says that the form has not been used for a couple of years

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and it has not in fact been used since you left that job. Does that surprise you?

A It would not surprise me because he is working alone now and as I said when I worked alone I did not use the form so it does not surprise me.

Q So you made a guess about a subject that does not surprise you was wrong?

A The form was a necessity when there was more than one road foreman of engines.

Q It is just to let the other fellow know what you checked out on, is that the purpose of it?

A So that we could keep track of each engineer without going over and repeating the ground.

Q You knew when you made the statement here yesterday that the man at Moose Jaw was working alone, did you not?

A Yes, I knew he was working alone but I just assumed that he was still using the forms for his purposes of keeping a record.

Q Yesterday you dealt with the first trip that you made which I think was made on April 26th?

A April 26th, yes.

Q You explained to the Commission that before you went out the fireman went back to the unit that was pointed east to get the flagging kit, is that right?

A Yes, that is right.

Q And you said the fireman also found that

there was no coal oil can from which to add coal oil to the two lamps?

A That is right.

Q Having coal oil to replenish lamps is a safety matter, is it not?

A That is right.

Q And you said that this fireman went over to the shop to get a can of coal oil to be able to replenish these lamps?

A Yes, to get a can of coal oil and a drinking pail.

Q We will coming to the drinking pail later. Let us deal first with the can of coal oil. Do you remember the can of coal oil? He went over and got it. Did you see him bring it back?

A Yes sir.

Q You did see him bring it back?

A Yes.

Q You have a very clear recollection of him bringing that back?

A I would not say a clear recollection. I checked with him as to getting the supplies.

Q Would you be surprised if the fireman said he found the can of coal oil on the front unit pointed east at the same time he found the flagging kit. Would that surprise you?

A Yes, because he found -- yes, it would surprise me, because he told me he was going

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for a can of coal oil.

Q Are you sure he did not say he was going for a drinking pail which is a comfort convenience, and that was all he was going for?

A No.

Q You were laid off the shop track on account of him ^{causing} a delay. You told the Commission that?

A Yes.

Q And delays are investigated, are they not?

A Yes.

Q The fireman was Gates?

A Gates, that is right.

Q He made a statement to the company in connection with that delay, Mr. Doull, in which he said that he found the can of coal oil on the eastward unit. Would you say he would be wrong and you would be right?

A I would say yes, because I do not -- I could not imagine him telling me that he was going for coal oil unless he was going for it and causing a delay.

Q You might have misunderstood. That is possible, is it not?

A But not probable.

Q Not probable?

A Because I made a note of it at the time.

Q You did. And you also said that you asked him to check the fuel oil, did you not?

A No sir, I said he told me that the units had not been fuelled.

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Q Well, why would he tell you that because the normal thing is to fuel engines at Moose Jaw on the outward trip?

A I said that yesterday, too, yes, sir.

Q On this occasion when you went out there the shop staffs were waiting for you?

A Yes.

Q To fuel?

A Yes.

Q Each engine that goes out there is stopped there for fueling?

A On occasions they fuel them coming in.

Q That may be, but I said each engine, on its way out, stops at the fueling station for fuel or for checking by the fueling staff, isn't that so?

A We stop for fuel.

Q Isn't that so, what I asked you?

A Yes, sir.

Q Then, what useful purpose is there for the fireman to check the fuel just before you go to the fueling station?

A To advise me that we need fuel. We pick up the fueling man at the switch tender shanty, as a rule, and then proceed with him to the fueling station.

Q And you would not stop, you say, is that it, if you had enough fuel; is that what you are trying to tell this Commission?

A No, we will make sure they are fueled at

Moose Jaw.

Q But you would not stop at the fueling station to let the fueling staff check on some occasions, is that what you are telling this Commission?

A Oh, sir, we stop for fueling and for checking.

Q Always?

A Unless the engine has been fueled, which has been done on occasion.

Q And then you stop for checking, to let them see it is filled?

A No.

Q You go right through?

A Yes.

Q When did you last go right through?

A I would say last summer. I have not worked on the road since last August until January of this year.

Q And between January and February, during those two months, you never had any occasion to go right through, did you?

A I probably took diesels out of Moose Jaw several times in this time, and I never had occasion to go right through.

Q The fireman, if he says they stop there all the time, he would be wrong?

A No, he would not be exactly wrong. All the time might be his experience.

Q This was another time when you were reaching a little bit for an example, wasn't it?

A No, sir, I quoted what the fireman did when he said to me the engines had not been fueled.

Q But that is not something that is necessary?

A I would not have asked about it if he did not tell me.

Q It is not necessary?

A I would say not necessary.

Q And that fireman would be wrong and you would be right with regard to the coal oil, that is your view?

A My recollection of it is very positive, unless he said coal oil and he did not have to get it.

Q Have you got your notes that you took at the time?

A I do not know if I have them or not.

Q You were reading off a typed sheet yesterday?

A I have the typed sheets, yes.

Q When did you make them up?

A They were made up in Ottawa, here.

Q But your actual written notes, you have not got with you?

A I had some of them.

Q Part of it was based on your recollection after you came here; you expanded your notes, I take it, and that would be the normal thing to do. That is what I would do and I guess that is what you did, isn't that right?

A In typewriting, yes, they were taken from where I wrote up my notes. They were

typewritten from the written-up version.

Q Expanding as you went along, based on your recollection?

A Based on my recollection.

Q Now, on this move, before you left Moose Jaw you came out of No. 6 and doubled on to No. 7, C-7, and then pulled out and doubled back on to C-2, correct?

A Right.

Q You said that you had over 65 cars coming out of 7?

A I was estimating about 65.

Q About 65, and you said in all those moves the signals were given direct to you from the ground?

A Correct.

Q You went on to suggest to the Commission that if there were more cars, you did not say how many more, you would get into a situation where you would be so far along the signals could not be relayed directly to you?

A Yes, I said I have been in that situation.

Q They could not be relayed directly to you?

A No, sir.

Q Do you mean from the ground?

A From the ground or even from a man on top of the cars.

Q If you had two men up on top of the cars, one on the car behind the engine and one farther down, then you could have them

relayed directly to you, could you not?

A I do not think I could see the top of the car directly behind the engine. I have never tried it, actually, from the leading unit of a two-unit locomotive.

Q I suggest if you try it you will find you can?

A It might be possible.

Q I would suggest to you also that they are making moves that way every day at Moose Jaw under observation of the people that are there, under supervision in that yard; would you deny that?

A I have never seen that.

Q I also suggest to you that on certain occasions when they cannot protect a move, to see that the engineer can get the signals directly the trainman climbs up on an adjacent string of cars so he is in a position to see his mate and the engine. Did you ever see that done at Moose Jaw?

A No, sir.

Q It can be done?

A I imagine that he must do so, so it can be done.

Q With two men it could be done, too, couldn't it, Mr. Doull?

A It might be with two, both on top of the cars.

Q You are sure of three?

A I am sure of three, and doubtful of two.

Q But it might be?

A It might be.

Q You have never tried it?

A No, sir.

Q Now, Mr. Doull, if there is only one man on top of the car giving signals to the fireman, on that kind of a move, on certain parts of the move the fireman cannot see those signals at all, can he, if there are cars on adjacent tracks?

A That is right, without getting out of the cab.

Q He has to get right out of the cab to see it?

A Yes.

Q As a matter of fact, no matter what he does in some situations the signals disappear from view on the left-hand side, don't they?

A That is right.

Q And under the rules if the signals disappear you are suppose to stop, isn't that right?

A That is right.

Q Do you stop?

A Not when I am pulling out a cut of cars.

Q So you are not abiding by the rules?

A I am abiding by the rules, the same as when I pull a train out, I am on the outbound route.

Q You say that you do not have to comply with that rule that when the signal disappears from view you have to stop when you are making

that move?

A You have to comply.

Q But you sometimes do not?

A That is right.

Q When you were a Rules Instructor, did you instruct the men not to comply with that rule?

A No, sir.

Q You instructed them to comply with it, didn't you?

A That is right.

Q Now, on that same trip, you said the fireman, when you were coming out of C-6, yelled at you to stop because there was a short freight train coming down the lead track, I think you said; do you remember that?

A Backing over the crossovers on to the lead.

Q You said that you stopped, but it was not necessary because he went into C-11 and he was not coming anywhere near the fouling point of your move?

A That is right.

Q Then, you went on from there to state that if he had been backing into C-8, I could have fouled him, struck him; that is, without knowing it, without being able to see; is that right?

A I said it was quite possible I could strike him before stopping if he had been going into Track 8.

Q Mr. Doull, he would have to be foul of C-6

as well as you foul of C-6 before you could strike each other, isn't that right?

A That is right.

Q So he would have to fail to comply with Rule 104, the seventh paragraph, correct? Having fouled the lead switch with the switch line for your movement out on to the lead?

A You will have to clear that up for me. I do not see what you are getting at. Will you explain the situation?

S-2

Q It is your situation, not mine; I did not set it up?

A There would be no fouling or no violation if he lined No. 8 and went into No. 8.

Q He could foul C-6 with you?

A No.

Q If he could go into C-8 without fouling C-6, how would you ever strike him?

A Because I was pulling out of the track.

Q You were pulling out of C-6?

A That is right.

Q Then, he cannot foul that C-6 switch in any way, can he, under the rules?

A No, but he is not coming near C-6. I am pulling out and 8 is closer to him than 6.

Q Then, you are going to foul C-8 switch?

A That is what I meant.

Q So you would be making a move blind, is that right?

A Blind to the extent that I could see my switch

and a certain short area.

Q But you could not see that the lead was clear?

A No.

Q Well, under the rules, when you cannot see the lead is clear, you must stop; is that not right?

A That is right, unless I get information from the left side it is clear.

Q Or from the ground crew, isn't that right?

A That is right.

Q The proper position for the ground crew to be is to line up the movement so you can carry it out to completion, isn't that right?

A That is what they did, yes, sir.

Q Then, that is what they did?

A That is what they did.

Q Then, nobody could throw the C-8 switch?

A They were not hanging on to it at all.

Q They were not hanging on to your move at all?

A They were not out protecting those switches against somebody else coming along and throwing them.

Q You mean to say they were not protecting your move?

A Not in front of me.

Q Why not?

A Because they were behind me.

Q But they could have been in front of you?

A Of course, absolutely. My illustration in

showing what the fireman did was not talking about what could have happened, but just what the situation was at that moment. I am talking about the situation that arose on April 26.

Q Nothing happened that day. It was a supposition to say that if this other move had taken place, isn't that right?

A Not a supposition exactly; I advised in that report what the fireman did. It was useful information to me in the fact that, without that information, I could have walked into a rule violation.

Q You could have walked into it --

A Yes.

Q Only if the other fellow had lined the C-8 switch?

A Or anybody lined some other switches, or if he had come down the lead himself without lining any switches.

Q Then, the switch would not be lined for you, would it?

A Yes.

Q And your C-8 switch would be lined for the lead if he were going to back into it?

A No, I say he might have come down the lead without lining any switches.

Q Then, he could not foul your movement, could he?

A He might have come in on top of me.

Q He would have stopped clear, wouldn't he?

A I cannot guess where he would have stopped.

Q He could see you, couldn't he?

A I imagine so, but he would not know I was moving out of the track.

Q He could see the C-5 switch?

A He should see it.

Q He would, not he should?

A He should.

Q If you had been on that engine, you would have?

A I would have, but I have seen many times when men did not see the switches.

Q It was quite possible on that movement to have one of the ground crew lead you down this move, if it was necessary?

A That is quite correct; he could have walked out.

Q Now, Mr. Doull, on that same trip you talked about the head trainman going out of the cab to make a special inspection of a car that you had picked up?

A Yes, sir.

Q Do you remember that?

A Yes, sir.

Q He mentioned it to you before he went out of the cab?

A That is right.

Q The reason he did that was that he has to ask for your permission before he leaves the cab under the rules; is not that right?

A I could have told him not to leave the cab.

Q He has to have your permission; you are the boss?

A That is right.

Q The rule requires him to stay unless he gets an O.K. from you?

A Correct.

Q That is why he told you and the reason you let him back was there were two men up there inside and just one on the left-hand side; is not that right?

A At that particular point I would have let him back if we had had no helper there. At that particular point, it happened to be a place where there is

no road crossing, just leaving Secretan, and we were proceeding at a reasonable speed.

Q He could easily have made a good observation of that car, a running observation of that car from the left-hand side of the leading unit, could he not?

A I find it is very hard to inspect running gear of cars close to the engine, for the first two or three cars.

Q Is he not able to inspect the further forward he gets a little better than if he was right on top of it, like you were suggesting he was going to do? This was two cars behind the engine?

A This was two cars behind the engine.

Q What he did in fact do was back up about 45 feet which would have given him a better angle to reach the gear?

A There was no angle; it was a parallel track. His main idea would be, if he had gone down; as he went down the steps to take a look back from a low angle. If he had done that from some of the forward steps, I think the steps themselves would have blocked his back view of the wheels of the car.

Q Were you particularly nervous about this car?

A No, sir.

Q If you had been you could have stopped and made a standing inspection?

A Absolutely. It was strictly an idea that came to his mind when we got a message that we were not stopping at Chaplin, that it was not necessary to stop.

Q And you just went along with it?

A Yes.

Q Now, these preparatory and final inspections which you have described to the Commission, particularly on this first trip, they are not required under the duties of an engineman or fireman as outlined on the Canadian Pacific and in force at the present time, to your knowledge?

A I think that the bulletin that was issued recently, in recent months, abolished most of that, yes.

Q Mr. Doull, is it not a matter of habit on your part that caused you to make these inspections, long-standing habit, particularly coming from your steam days experience? Is not that the fact?

A Well, it could be a habit that has created the feeling for the necessity of it.

Q You knew that in doing it it was contrary to the duties that were required?

A Well, in what specific do you mean?

Q I am talking generally about these bulletins that were issued, as you say, in recent months, going back to October and December of last year.

A I was wondering if you meant such things as testing the brakes and so on.

Q Certain duties are outlined for you in there and certain other duties and things that you did are not outlined?

A Certain of these things, yes.

Q Most of the ones you did, as you said in evidence to me just a few minutes ago, have been abolished?

A I did not say that I outlined many of the preparatories on that first trip.

Q One of the things that you do not have to do is look over the water, sand or oil, or check the oil. You do check your flagging kit, which you did not do then as you delegated that to the fireman. That is also the duty of the head trainman, as were the lamps the duty of the head trainman; that is correct?

A As well as the fireman, yes.

Q As well as yourself too?

A Yes.

Q They were their responsibility and it just happened the fireman did it. The primary responsibility with regard to

the lamps, and this goes to one of your other reports, is that of the head trainman. This polishing up of the lamps; the trainman has to know that his lamps are in good condition, does he not?

A Oh, yes.

Q That is not the fireman's duty as such?

A Well --

Q It is a joint duty?

A It is a joint duty, yes.

Q There is no use polishing the lamps three times?

A No. They do not get polished once, as a rule.

Q They do get polished when it is necessary?

A When it is necessary.

Q In this matter of patrolling. You never received any instructions to which you could call the attention of this Commission that you were to tell firemen to patrol diesel units, did you?

A No, sir.

Q The only place you could find anything of that was in this F3 manual?

A Yes, sir.

Q As Mr. Lewis said, that is the fifth edition which was published in 1948, and as I have said to the Commission I have been told that it had to do with engines that were built by General

Motors starting in 1943, and they quit making them in 1948, and we never had any of them on the Canadian Pacific?

A The reason that book was of any value to me, it was the only one I could get the first time I was to handle General Motors diesels, which were F-7's.

Q Did you ever ask any of the maintenance people, such as Mr. Woodland, about whether firemen should patrol these units, or Mr. Newman, for instance, who also rode on these units? Do you remember him? He was Chief of Motive Power.

A I do not recall riding engines with him.

Q Mr. Woodland?

A Mr. Woodland once or twice has made trips.

Q You never asked him about it?

A I made inquiries in that connection to find out what was necessary, mainly by talking to other road foremen who had had experience with them, those I might run into.

Q Asking them what their experience had been on diesel engines?

A Yes.

Q And did they tell you that the company had instructed that firemen were to patrol diesel units?

A No, sir.

BY THE CHAIRMAN:

Q Those are other road foremen from other places than Moose Jaw?

A Yes. I would sometimes connect with them when we were transferring diesels, particularly when somebody had to ride them. I would connect with foremen as far east as Kenora who maybe had to follow an engine through due to some other duties being required of the local road foremen.

Q Did you get your own instructions as to what you were to teach?

A No, sir, that is why. There was no instructions given at all. The only thing was that they must be accompanied at least 1,000 miles. The road foreman was there to make up his own mind as to what was necessary and to do that we resorted to instructions from the builders and the operating manuals that they issued. It was necessary for me to work for some time with only the F-3 manual, and that is where I would come to the conclusion that patrolling was a necessity.

Q Where for instance would you get an F-3 manual? How would you get it?

A That one was given to me by a Master Mechanic who had been on a course at

the builders. He looked in a big box of books he had and came out with that and gave it to me for my use.

BY MR. SINCLAIR:

Q You had asked him for it in order to try to get to know something about diesels?

A I asked him to try to get me a manual of some kind and that was the result.

Q You never told him you were going to use that as a basis for your instructions to firemen?

A No. I do not want it misunderstood about this book. It was not given to me by the Master Mechanic with the idea that I was to go and work on this and I would be all right. It was given to me as a source of information for me in connection with diesel units.

Q Now, Mr. Doull, surely the facts of the matter in regard to firemen are these: when a fireman showed some interest in a diesel engine you would tell him?

A That is right.

Q And any instructions you gave a fireman in regard to diesel engines were given looking to the day he would become an engineman?

A That is right.

Q And that is the only thing that you would be talking to him about, outside

the steam generator?

A Yes.

Q You gave some evidence yesterday about the air compressor or the air compressor safety valve, the pop valve; do you remember that?

A Yes, sir.

Q I have not checked the transcript, but you went on to say that this is a matter that had to be watched carefully and could be handled manually and if it was not watched carefully it might burn out and you might lose your brakes; is that right?

A Yes.

Q You know that on each diesel unit the air compressor has more capacity than any steam engine?

A That is correct.

Q And that these reservoirs are equalized between units so that even if you lose a whole unit you would still have better braking power than you would with a steam train?

A I cannot agree with you on that. If you lose one unit you would have a capacity of air, but you would certainly not be able to charge that train faster.

Q You could charge it faster than you could with a steam train?

A No.

Q You do not think the pressure is more powerful than on a steam engine?

A I have heard all about the orifice tests of the capacity, but I have never seen in actual practice a result that justifies the figures that come out of those tests.

Q In other words you do not rely on the mechanical engineers?

A Not on the figures that some of them will produce.

Q You do not believe that the mechanical engineers in making tests like that, that their figures are correct?

A I am just saying that my experience with diesels is that they will not recharge the air and release the brakes as quick as a steam engine despite any figures that may be produced.

Q Maybe it is the way you handle it, is it?

A Well, you would have to get a road foreman to comment on that.

Q You would not want to comment?

A No, not on myself.

Q How long does it take for one of these safety pop valves to burn out? Did you ever see one burn out?

A Not on a diesel, no, sir.

Q So that you never had this situation of

which you are talking to the Commission, have you?

A I have seen them burned out on steam engines.

Q You have never seen them burn out on a diesel?

A No.

Q So you do not know what the effect would be if they did burn out on a diesel?

A I could not say conclusively, no.

Q Yesterday you also gave some evidence about General Motors units and you said they did not have any manual controls for the shutters for the cooling system; remember that?

A I said they were not fitted to be operated manually.

Q But you went on to say it was possible to drain the air out of the cylinder and to reach up and turn the rod manually to work those shutters?

A Yes.

Q Do you remember that?

A Yes.

Q Have you ever done that?

A Yes.

Q Do you have to take out any linkage to do that?

A Yes.

Q You have to remove some linkage?

A Right.

Q That is the first thing you have to do; is that right?

A Right.

Q Then you have to apply pressure?

A I found that it did not take much pressure.

Q You found it did not take much pressure?

A No.

Q Then you have to reach up after you remove the linkage and turn them?

A Yes.

Q How many times have you done that?

A Just did it once.

Q You just did it once?

A Yes.

Q You were able to turn it?

A Yes.

Q And you went around instructing enginemen and firemen on the General Motors units they should do that if they got the situation of a hot engine?

A I instructed them the way they had to -- I showed them how to take off the air and disconnect for manual handling. I explained they were not made for being handled manually.

Q In doing that they would be tinkering with the apparatus, would they not, and that is contrary to the instructions you were to give these other people in

regard to these engines?

A Not contrary to any instructions I have had.

Q Not contrary to any instructions you have had?

A No.

Q Were you not told to leave those parts alone on General Motors units?

A No.

Q They are not made to take apart?

A I said they were not made to be operated manually.

Q But you were going to make them operate manually?

A Yes.

Q And you instructed the people how to do that?

A I showed them how it was done, yes, sir.

--

--

Q There is another bit of evidence you gave yesterday with respect to engines loading. If an engine does not load you said you could put the power on and off and sometimes that arose from a certain stickiness and by putting the power on and off the contactors would fall out and in? Correct?

A Yes.

Q I think you explained that in regard to backward transition, which is a type of loading, and equally any other type of transition that is not loading can be handled from the throttle position by going to idle which automatically goes to the first transition position?

A That is what I said.

Q And then you told us, I think, that you had no instruction in this regard or no experience and that at some places they may not want to do that even though it only takes a moment?

A I think some places they might prefer to isolate the unit and cut it in and out with the isolation switch but I had no experience of such situations.

Q Why did you mention that at some places they may want to do that? Was that just a guess on your part?

A No, I gathered that it has been done from the discussions I have had with men in Ottawa here.

Q The isolation switch on a road switcher, the engineman can handle that standing up on many of them?

A I can handle it standing up on the lead unit, yes.

Q How long do you think it would take to put your throttle back to idle and pick it up again, Mr Doull, as an experienced engineman on diesels?

A Just a matter of seconds.

Q How many?

A Oh --

Q Five?

A Well, it would depend -- well, let us say five seconds. That is as good a figure as any.

Q Is that an accurate figure?

A No, I say it is an estimate.

Q You would accept five seconds?

A I will accept it.

Q At some time, and I did not quite get your evidence on this, you talked about people going in and flicking the contactors back and forth manually with their hands, I take it. Was that what you had in mind?

A They are air operated contactors and I was talking about pushing the button and flicking them back and forth to see if they were free.

Q You would have to go into the electrical cabinet to get at these contactors?

A That is right, you open the electrical cabinets.

Q These are power contactors?

A Yes.

Q They carry up to 1,000 volts, do they not, Mr. Doull?

A They carry quite a large --

Q Up to 1,000 volts, is it not?

A Yes.

Q You knew that?

A Yes.

Q And there are instructions that people are to keep out of these electrical cabinets, are there not?

A When the power is on, yes.

Q To keep out of electrical cabinets, not just when the power is on?

A To keep out when the power is on.

Q Not when it is off?

A The sign painted on the cabinet door says "Do not" -- I just forget the wording.

Q "Danger, 600 volts, keep out", isn't it, and then it goes up to a thousand volts at other times of the operation? Isn't that correct?

A That is correct.

Q You heard Mr. Emerson give evidence here that he was giving consideration to sealing these electrical cabinets to keep people out of them because they were causing difficulty, people going in there when they should not be in there? Is that right?

A Yes. If anybody monkeyed with the electrical equipment I would not approve of it. People

operating these contactors with the power off by just testing and seeing if the air is working on them, that is not in any way dangerous or tinkering.

Q You could easily not make complete contact when you have kicked them back and forth with your hand? You have to be careful to see what position you leave them in?

A In that case that would not happen because you are pressing a button to operate the control.

Q You are not in there flicking them back and forth with your hand?

A No.

Q I misunderstood your evidence. You would never let anybody get into the electrical cabinet even if the power was off and start moving the contactors around by hand?

A Oh no, there is a button on the control that controls the air, that operates them.

Q How many times have you done that?

A Due to necessity, would you say?

Q Yes.

A I don't know that I ever did it due to necessity.

Q You also said that you felt that you should after pulling out see that all units were loading properly and that you should go back on the units to see that. Do you remember saying that?

A I remember saying that, yes.

- Q Did you ever hear of a sequence test on a shop track?
- A Yes.
- Q And every time units are coupled up and a consist is changed the shop staffs do a sequence test?
- A That is right.
- Q And after they clear the locomotive off the shop track it is loading?
- A It was loading when they tested it.
- Q And you think that it might not load between the time they test it and the time you take it out? Is that right?
- A Could be.
- Q Could be. Did it ever happen to you?
- A Yes.
- Q Could you not have done that from your own cab to see whether it was loading or not?
- A Well, the main idea in saying that it should be checked is that generally with a train you know if they are loading by the feel of your train. However, you can under some circumstances be doubtful that they are loading, depending on how the engines are handling the train. In those cases the only way to find out is to check the units.
- Q Check them by walking back on them?
- A Yes.
- Q Are you sure of that?
- A Yes.

Q Well, say you isolate your lead unit by taking it off the line, by flicking the switch and you have two units, a road switcher behind you, and you still keep going, then the second one is loading for sure, isn't it?

A Yes.

Q That is one way of testing?

A Yes.

Q You do not have to go back to do that?

A Providing you have only two units.

Q If you have got three units you might put it in a position where it takes two units to move it at that speed and you could flick off one and you could watch your ammeter gauge to see what happened to that, could you not?

A Yes.

Q All these things can be done from your seat as engineman?

A No.

Q Well, reaching up?

A They can be done but they still would not give you the information you desire.

Q They would not?

A No.

Q Have you tried them?

A Yes.

Q And what more information do you get by going back, Mr. Doull?

A Information whether the engine is loading or not which all of these movements did not tell

(2)

me because at that time I don't know what throttle position is going to move it with two units until I have got the train moving and know I have all our power. That is the whole idea of this. If you cut one unit out and I am handling the train with two units, I may think that the three units are working and that the train is dragging particularly hard.

Q Mr. Doull, as an experienced engineman do you not know more about the way your train handles at certain speeds than that? Are you trying to tell the Commission you have any doubt in a matter of that kind with all your experience as an engineman?

A I said I have seen circumstances where I have been.

Q How many?

A Oh, on a number of occasions.

Q All right, give me two.

A By day and date I cannot.

Q Well, give me the circumstances and the location?

A I am afraid I cannot. I can tell you the location. Always where that has happened to me is leaving Curle.

Q You do not know how your train reacts out of Curle with a given tonnage?

A I do normally but weather conditions and other things affect it.

Q Really, Mr. Doull, I think that you have got

more respect as an engineman than to try to tell the Commission you are in very much doubt about these things?

A I say that as a rule there is no doubt but the time comes when you have, when you do have a doubt.

Q And if there was not loading, in any event when you got up speed you would certainly be told about it and you could move over to the next station and stop and fix it yourself, could you not?

A Yes.

BY THE CHAIRMAN:

Q If you went back to the unit as to which you were in doubt, how could you tell whether it was or was not loading?

A Well, you would tell by looking at the load meter on it or there is other methods of telling. On "B" units that have no load meter there is a load regulator that you can tell by the position of it and certain governors have indicators on them.

BY MR. SINCLAIR:

Q Now, you talked about trouble with cooling water in Saskatchewan in particular. Do you remember that, the cooling water systems on diesels, the amount of cooling water and my note was "particularly in Saskatchewan" you had that trouble?

A I think that your note -- yes, "particularly

in Saskatchewan" was in connection with the water in steam engine boilers.

Q Oh well, I can understand that, but in regard to the cooling water system on diesels you do not have any particular trouble in Saskatchewan with the cooling water on diesel locomotives?

A Not particularly there.

Q Mr. Doull, in regard to adding cooling water on diesels were you not told of this, that engine crews that are accustomed to steam operation, with all the dangers that are involved in steam operation by low water, paid very close attention to it over the years and that when the diesels first came they were very sensitive about this cooling water level and were constantly bothering the maintenance forces about the level of the cooling water and they finally told them to leave it alone, quit putting water in there?

A That is right.

Q You have known about that?

A Yes.

Q And it is hard to train these men when they first come on diesels to leave that water level alone?

A Yes, very hard.

Q Now, these emergency water stations to which there has been reference, they are emergency water stations for steam generators and the couplings are $2\frac{1}{2}$ inch couplings?

- A The couplings are made with a fitting for going on the heating water tank. I understand, I have been told, I have seen this, that there is a fitting put on some of them where you can add cooling water.
- Q They have to have a special fitting but they are there and are so located to look after steam generators?
- A That is the main purpose of them.
- Q That is the reason they are there?
- A Yes.
- Q Just as a matter of interest, Mr. Doull, I checked on your trips in January and February of this year and the only delay that was occasioned on any of those trips was when you had a steam engine. You got good, reliable performance out of the diesels you ran in January and February, did you not?
- A Yes, I don't think I had any diesel defects since I returned to road service in January.
- Q I have checked and I cannot find even an alarm being reported in that period on any of the engines you were on. Would that be right?
- A Well, I would not put too much reliability on that because it is quite common not to report alarms unless they do cause delays.
- Q You are supposed to do it, are you not?
- A No sir, I don't know of any instruction except when a delay is caused.
- Q You do not?

A No.

Q You do not know that any irregularity -- for instance, if you get a low lube alarm, that you **should immediately** put it on the MP-74?

A No.

Q You have not been told that by the mechanical forces?

A No.

Q You have not been told that when you were road foreman of engines?

A No.

Q Now, you think about it. Do you not think that is a matter that should be brought to the attention of the shop forces?

A Well, I would say if I got a low lube alarm I would certainly put that on there.

Q And you did not have any because they are not on?

A No.

Q If you get a ground relay, that is, a flash-over, that could be caused by trouble in the wiring or something of that nature and that is something to put on there?

A Yes. At one time they used to require a report of ground relays but there is no instruction about it right now.

Q Because they have got the MP-74 to put it on? That was before they had this form on the engine that they asked you particularly to report ground relays?

A Yes.

Q Now you have got the MP-74 so you would put a ground relay on it? The answer is yes?

A I would put it on the form but I don't know of any specific instruction to put it on. I would put it on, considering it as a possible cause of engine trouble that might need correction.

Q If you got an engine over-speed which would put your engine to stop you would put that on too?

A I don't know if I would. It would depend on the circumstances.

Q In any event, in these two months when you were running you did not report anything?

A No, and I do not recall having any, as far as that is concerned.

Q Mr. Doull, in answer to my friend you said that there was no hazard in going out on these road switchers at 25 to 30 miles an hour?

A I said I did not think there was any hazard.

Q None at all?

A None at all.

Q Mr. Doull, when you were a fireman on steam power would you go out at 25 or 30 miles an hour and change a headlight bulb?

A Well, maybe I should not say it but I have done so.

Q You have done it?

A Yes.

Q Is there a hazard in that?

A Yes, I would say there is considerable hazard in it by being on the front of the engine.

Q But is there not any hazard in going down the side of the boiler on the cat walk?

A No.

Q None at all?

A It is quite common for men to do that,.

Q At 25 to 30 miles an hour?

A Yes, it is quite common for men to go up and down the side of the walk.

Q Is it not a fact that the firemen on numerous occasions have refused to go out on these walk ways on steam power unless they were stopped or just crawling?

A I have never experienced it because I have no recollection of every having asked a fireman to go out there.

Q Would you stop if it was necessary for him to do it?

A Yes, I would stop. I would not stop for myself to go out.

Q But you would stop before you asked any one else to go out?

A Yes.

THE CHAIRMAN: We will adjourn at this point.

--- The Commission adjourned at 4.05 until 10.00 a.m.
Wednesday, May 15, 1957.

**ROYAL COMMISSION ON EMPLOYMENT OF FIREMEN
ON DIESEL LOCOMOTIVES IN FREIGHT AND YARD
SERVICE ON THE CANADIAN PACIFIC RAILWAY**

38

PROCEEDINGS

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ROYAL COMMISSION ON EMPLOYMENT OF
FIREMEN ON DIESEL LOCOMOTIVES IN
FREIGHT AND YARD SERVICE ON THE
CANADIAN PACIFIC RAILWAY

Proceedings of public
hearing held at Ottawa,
Ontario, Wednesday,
May 15, 1957

PRESENT:

Hon. R. L. Kellock,	Chairman
Hon. C. C. McLaurin,	Member
Hon. Jean Martineau,	Member
Douglas M. Fraser,	Secretary
A. R. Winship,	Asst. Secretary

APPEARANCES:

D. W. Mundell, Q.C.,	Representing the
C. J. A. Hughes, Q.C.,	Commission
I. D. Sinclair,	Representing the
Allan Findlay,	Canadian Pacific Railway Company
David Lewis,	Representing the Brotherhood of Locomotive Firemen and Enginemen

Wednesday,
May 15, 1957.

38th DAY

MORNING SESSION

---The Commission opened at 10.00 a.m.

A. C. DOULL, recalled.

EXAMINED BY MR. SINCLAIR:

Q Mr. Doull, on Monday in answer to my friend you informed the Commission about your experience as a fireman on hand-fired power?

A Yes, sir.

Q And you said you had hand-fired various classes of engines, the D classes and also the G-3 and the P-1, and I think also one F-1?

A One F-1, I think I said.

Q That is the 2900?

A That is the 2900.

Q The question of the amount of time you spent on the deck on a hand-fired engine would depend on quite a number of factors, would it not?

A Quite a number of factors, yes.

Q For instance, the type of engine would only be one?

A Yes, the type of engine would be only one of many factors involved.

Q The tonnage of the train would be one?

A To an extent, the tonnage.

Q The grade?

A Yes, the grade.

Q The weather?

A The weather.

Q And most particularly the wind, a

side wind?

A Well, that would apply to weather most particularly. I would say that one of the major factors would be the way the engine was being operated by the engineer.

Q Some engineers were hard on the firemen and some were not?

A That is right.

Q It was quite an art to handle your throttle and your reverser so that you were not breaking the fireman's back?

A Yes.

Q And the way the engine was steaming?

A Well, you could run into poor steaming engines, all right.

Q Then the water that you had also would affect your time on the deck?

A The water was quite bad, yes.

Q Particularly if it was foamy?

A Well, we did not let it foam.

Q You never had foaming water in Saskatchewan?

A Oh, yes, but we took precautions that the engine would not foam when it was working.

Q You had to be careful to do it?

A Very careful.

Q And that required you watching your water-glass very closely when you had a bad tank of water?

A It was not as necessary to watch the water-glass in the really bad water territory as it was in the better water territory.

Q If it ever foamed then you really could not take a proper sight on your water-glass?

A No, but when we were in the bad water territory, particularly in the south country around Assiniboia and Weuburn we usually operated with no water in sight in the glass.

Q Did that worry you?

A No.

Q It takes a pretty strong man to run a steam engine without knowing where the water is with respect to the crown sheet, does it not?

A Well, it is a matter of becoming accustomed to the condition.

Q One of the major things in handling any job is becoming accustomed to it, that is what you mean?

A Pretty well, the conditions you are working under.

Q And in the light of the situation you adjust yourself to it?

A That is right.

Q Another factor would be the question of when the engine had last had the flues

cleaned, a wash-out, the head end cleaned up; they all would be involved in the amount of time you would be on the deck, would they not?

A It would not enter into it at that particular time that you are talking about, Mr. Sinclair, because those engines were washed out every trip as a rule and at the same time when they washed them out the flues were blown and so on.

Q All those various factors made a variance from the average time that you would be on the deck?

A Some conditions prevail pretty generally, I would say.

Q But some trips would be above average, would they not, in the amount of time?

A I don't think so.

Q You don't think so?

A No.

Q For instance, if you had poor coal, that would affect the amount of time?

A That is all we ever had.

Q That is all you ever had, poor coal? That is spoken like a true fireman.

A That is right.

HON. MR. McLAURIN: Perhaps your purchasing agent may have been making the same complaint.

BY MR. SINCLAIR:

Q I think the rich coal came from British Columbia, did it not, from around the Crow country?

A We always burned Blairmore coal, which I understand comes from around the Crows Nest.

Q You have had a lot of difficulty with coal in Saskatchewan?

A Quite a lot of difficulty.

Q As a matter of fact they have had a lot of difficulty with coal throughout the prairies?

A Yes, sir.

Q You have heard firemen many times complaining about the coal and the difficulty about steaming with the type of coal they were getting?

A That is right.

Q If the coal was damp it would freeze back in the tender?

A Yes.

Q And it was difficult to get it down?

A Quite difficult at times.

Q You would have to go back there and shovel it up?

A Well, we usually had a cooperative trainman who would do that for us.

Q You assigned that job to the trainman?

A More or less.

Q Then when you have poor coal you have to use your poker?

A Yes, sir.

Q I would be right about this, that to handle the poker would take longer than putting in the fire?

A Oh, yes, when you had to use a poker in the fire it was longer than the normal firing period.

Q Then again, when you had to use the shaker bar --

A We did not make a practice of using the shaker bar while running.

Q You mean you were not supposed to do that?

A No, I did not mean we were not supposed to.

Q If you had a bad tender of coal you never used the shaker bar?

A I did not say we never did, I said we did not --

Q You did not make a practice?

A Did not make a practice, yes, sir, while we were running.

Q I suppose you have been on many trips as a fireman where you would run 14 tons of coal, where you would handle that on a subdivision?

A Well, I would not like to estimate, but there was times when I thought it was a lot more than that, but as a rule as I recall the trips, about a good average

on your trip would be as shown on the fuel report that the engineer would submit, that would be anywhere in the vicinity of 12 tons.

Q Now, I suppose sometimes, Mr. Doull, there would be trips when it would be twice that?

A There would be trips when it would be much more and trips when it would be much less.

Q Would you agree with me that it would not be unreasonable to suggest that on some trips over a subdivision you would handle, the fireman would handle as much as 28 tons of coal going 130 miles?

A It would sound unreasonable to me.

Q It would be unreasonable to you?

A I think so, yes.

Q Now, on passenger trains you would be on the deck more than you would on freight trains? That is while moving over the road?

A No. You would be on oftener in respect to the proportion of time as against the distance covered; there would be more of your actual time but a further distance travelled.

Q The actual proportion of time while running in passenger service is that you would be more often on the deck?

A That is right.

Q You have had trips, have you not, as fireman where you were on the deck over the entire subdivision except for the odd rest?

A Well, I have had trips when I spent practically all my time on the deck.

Q If somebody said that they were on the deck 100 per cent of the time you would not disagree with that, that they had had trips like that?

A Yes, I would disagree with that. I would say that they were probably giving you what it felt like, that they thought they were 100 per cent of the time on the deck.

Q If they had to handle say 20 tons they would be there 100 per cent of the time?

A Well, I have no recollection myself of trips having that much.

Q Even if you handled 14 or 15 tons you would be there relatively 100 per cent of the time; you might get up for the odd rest?

A It would depend on the amount of time you were on the road.

Q If you had a G-3 hand-fired engine on a passenger train you would be down there quite a bit?

A You would. They were very hard engines to fire and eventually stokers were put on them.

Q Seventy-five per cent of the time on a passenger run with a G-3 would not be out of the way? Would you agree with that?

A No, I would not agree with that figure. I would say with a hand-fired 2300 it might be better than 50 per cent.

Q Somewhere between 50 and 100 per cent?

A Somewhere between 50 and 55.

Q You give yourself a 10 per cent margin. Well, if you were handling say 2 tons of coal an hour -- you have done that many times, have you not?

A I would hesitate to say what I handled at any one time because we never pay too much attention to it, handling it in small quantities of 10 or 12 pounds at a time.

Q 10 or 12 pounds a scoop?

A Yes.

Q Even if as you said you handled 12 tons on a trip at 12 pounds a scoop you would be putting in a scoop -- say a six or seven-hour trip -- about every 12 seconds over the whole subdivision; every 12 seconds a scoop would be going into the fire-box, is not that right?

A I have not made any calculation on that.

MR. LEWIS: What was the number of hours, seven or eight hours?

MR. SINCLAIR: That is right.

MR. LEWIS: And 12 tons?

MR. SINCLAIR: That is right, and around 10 pounds a scoop.

BY MR. SINCLAIR:

Q For instance, if you were handling even 15 pounds a scoop, which is a good scoop load, each time, and were handling 2 tons an hour, you would be putting in a scoop every 14 seconds?

A Your figures may be correct, Mr. Sinclair. I cannot argue with them, but you are taking on this short trip and saying that you burn the maximum coal that I have said was the average per trip.

Q Let me give you another example. If you shovelled 3 tons an hour, if you burned about 27 tons in eight or nine hours, or nine to ten hours; at 3 tons an hour that would make about 27 or 28 tons, which would give you pretty close to 3 tons an hour. Taking your own figure, the scoop would be moving forward and backward so quickly that you could hardly see it at 10 pounds per scoop?

A I am afraid you --

Q Those are just mathematics.

A You dazzle me with your arithmetic.

- Q Well, I sometimes dazzle myself, Mr. Doull, so somebody is going to check it. Mr. Lewis has got what is known as a calculating mind so he will be checking these figures of mine. You are not going to say that it was an unusual thing, Mr. Doull, for a fireman to be on the deck a very large proportion of his time, a substantial proportion of his time while moving over the road on a hand-fired engine?
- A A substantial portion of his time, yes sir.
- Q And in some cases it would go, as you have said, to a great proportion of his time on individual trips and in passenger service it would be greater than in freight service while you were moving over the road?
- A About the main difference would be that in freight service there would be long stretches of the road that you would not be firing the engine at all in freight. You would be sitting on the seat, which would bring the average for freight down considerably.
- Q Now, in passenger service what is your estimate, Mr. Doull, of the average amount of time a man would be on the deck on hand-fired engines?
- A There again you have got to go to the type of passenger --
- Q Main line passenger, we will take first.
- A Main line passenger a man would spend up to -- well, again depending on the engine, let us take a 2300 hand-fired, I would say up to

50 per cent of his time on main line passenger.

Q And a G-5?

A G-5 is stoker.

Q You never had a hand-fired G-5?

A No.

Q When you got them they were all stoker?

A Yes.

Q And the G-2?

A The G-2 is a very nice, easy engine to fire.

Q Even at high speed?

A Yes, even at high speeds, about one fire between towns with branch line passengers.

Q Yes, but on the main line, did you ever get a G-2 on the main line?

A Yes, I have, but they were still a very easy engine to fire.

Q When they were loaded down they gave a little trouble, did they not?

A No.

Q You would not agree with that?

A No.

Q Now, have you ever been on an engine, Mr. Doull, when you were the fireman and the engineman said to you, "Look, fellow, I want you to keep that needle pointing at me all the time; just keep it pointing right at me." Did he ever talk to you like that?

A No doubt they have but I cannot recall any particular incident.

Q And then you would bend your back a little more,

wouldn't you?

A Well, you would look the situation over and see what was causing the lag.

Q And you would watch your fire very carefully, both as to how you handled your scoop when you threw it into the fire box and also whether you should be at it with your poker once in a while?

A Yes.

Q And all that would cause more time being spent on the deck?

A Well, when the engineer would call on me for that extra pound of steam it would be for some particular point. It would probably be for a very short distance.

Q And when he did that and he wanted steam he did not worry about anything else but getting steam? He looked after everything else, did he not?

A That would be his main interest, yes.

Q And that would be your main interest, would it not, as the fireman?

A My main interest to supply steam, yes.

Q And when he gave you that "keep that needle pointing at me, fellow", that would be the only thing you would be thinking of?

A Yes.

Q Now, when you made your over-all percentage average of 30 to 35 per cent you said that was on the basis of the time over a subdivision,

that is, the total time switch to switch?

A Yes.

Q So that the percentage of running time would be higher than that?

A Well, I may not -- I may have said that but I meant running time.

Q But you did not say that because when you came to stokers you made that clear but you did not make it clear when you were dealing with hand-fired?

A I think I did say when stopped the fireman would build up his fire which would cut down his time on the deck when he was running. I am pretty sure I said that.

Q Yes, but when you came to make your percentage you were very careful to say "I would estimate that for all the time over a subdivision and the average of engines you might be there up to 30 per cent." Then you extended that 30 per cent to "35 per cent at the outside." That is at pages 4980 and 4981 of the transcript, volume 36. Now you want to change that. You say that is not clear and that what you really meant was running time. Is that right?

MR. LEWIS: He did not say it was not clear.

THE CHAIRMAN: Well, that is the question.

THE WITNESS: The intent in the way that

is put there was that I was asked a question and tried to figure an answer and when I put "for all the time" I was considering the fact that on downgrades a man would not be firing at all probably for several miles and on the upgrades he might be firing heavier, and that was my intention in putting in that "for all the time" rather than splitting up a subdivision and saying that you might go 20 miles and throw in one fire to keep her --

(2)

BY MR. SINCLAIR:

Q You did not mean the total time over the subdivision?

A No, and I think if you will look further you will find where I commented on the fact that the main fire body was built up while standing.

Q Sometimes you build it up before you leave the terminal?

A That is right.

Q Just to take care of that situation?

A That is right.

Q Particularly if you had a heavy pull out of the terminal?

A Yes.

Q But you have had trouble over the line keeping a body in your fire?

A Yes.

Q And you have had engines that you found great difficulty in stopping banks forming in them?

A Not hand-fired.

- Q You were always able to so adjust your scoop that you could spray it where you wanted to?
- A Yes, hand-fired you would not have much trouble with banks at all. The main trouble was in getting the banks in it that you wanted there.
- Q I am going to read you an extract from a letter, Mr. Doull, and ask you to comment on it. How many miles is it on the subdivision that you run on, for instance, Broadview to Moose Jaw or Moose Jaw to Swift Current?
- A Broadview to Moose Jaw is 134 and Moose Jaw to Swift Current is 111 but the freight mileage is 108.

THE CHAIRMAN: Broadview is east of Moose Jaw.

MR. SINCLAIR: Yes, sir.

BY MR. SINCLAIR:

- Q Well now, the distance between Brandon and Broadview is 130.9 miles or 131 miles, according to the time card I have checked. I am going to read you an extract from this letter -- pardon me, I will read it all, and I will ask you to comment. It reads:

"Referring to your letter of July 16th and our several conversations since that date in connection with fuel consumption of certain engines --"

MR. LEWIS: What year?

MR. SINCLAIR: "-- of the P-1

class between Brandon and Broadview."

This letter is dated October 15, 1930. I might as well tell you who it is from, to be completely fair about this, Mr. Doull. This is a letter from Mr. Hugh Richmond, general chairman of the Brotherhood of Locomotive Firemen and Engineers, to Mr. H. J. Humphrey, assistant to the vice-president of the C.P.R. at Montreal, and it is dated Smiths Falls, Ontario, October 15, 1930.

"Referring to your letter of July 16th and our several conversations since that date in connection with fuel consumption of certain engines of the P-1 class between Brandon and Broadview.

With respect to the statement contained in your letter that there is no record whatever of engines 5105-06 having consumed 28 tons of coal on westbound trip I desire to state that, when this matter was discussed with you on June 16th, it was stated that 28 tons of coal had been burned on westbound trip by engine 5046, not 5105 or 5106. The trip in question on engine 5046 occurred about June 2nd, this engine having left Brandon on this trip with a train of 92 cars, 2,580 tons,

at 7.30 a.m. and arriving at Broadview about 19.30.

I am constantly in receipt of complaints from our men at Brandon in connection with the fuel consumption of these engines, having just recently received a letter advising me that on October 5, engine 5146" --

That is a P-1 engine? Correct?

A Yes.

Q "--just newly repaired, left Brandon at 14.50 arriving Broadview 24.15, 9 hours and 25 minutes on the road, on which trip 28 tons of coal was handled by the fireman. On the return trip this engine left Broadview October 6, at 11.25 arriving Brandon at 18.55, 7 hours and 30 minutes on the road, 16 tons of coal being burned on this trip. On this latter occasion a 'single' train only (about 2,800 ton) was handled over the entire division, full tonnage which is frequently handled, I understand, being 4,000 from Broadview to Kirkella and 4,700 from Kirkella to Brandon.

It is also claimed that all engines of the P-1 class are generally burning anywhere between 14 and 20 tons on a trip between Brandon and Broadview and frequently more. I further understand

that the quality of fuel is such that the poker has to be used about every third or fourth fire and that considerable shaking of grates and dumping of pans is necessary en route. This involves a lot of additional laborious labour which, in conjunction with the amount of fuel handled together with other incidental work required of the fireman on the trip, causes his work to be such that it is extremely detrimental to his physical well-being, being vastly more, in many cases, than should be expected of any one man.

While I understand from previous discussions of the question that mechanical stokers are to be applied to the engines in question, there is nothing definite as to when this will be commenced. The situation, as we understand it, at Brandon is such that in the interest of the men, and the company as well, it is felt steps should be taken right away to relieve the firemen of some of the very excessive labour now being required of them.

It will be much appreciated, therefore, if you would go into the matter

again with a view to having these engines equipped with mechanical stokers at the earliest possible date and also to arranging that, until they are so equipped, some other provision be made so as to relieve firemen of some of the excessive work now necessary for them to do."

That would be a pretty fair summary of the situation as it was set out by a man like Mr. Richmond who would certainly go into the facts before he wrote a letter like that, would he not?

A I would imagine he went into the facts. It deals with a territory with which I am not familiar and does not coincide with my own experience actually.

Q But he would not write a letter like that if it was not based on facts?

A I would not imagine that he would.

MR. SINCLAIR: I should like to file that as Exhibit 199, a letter from the general chairman, Hugh Richmond, of the Brotherhood of Locomotive Firemen and Enginemen, dated Smiths Falls, Ontario, October 15, 1930, to Mr. H. J. Humphrey, assistant to the vice-president, C.P.R., Montreal, Quebec.

EXHIBIT NO. 199 -- Letter dated October 15, 1930, from Hugh Richmond, general chairman, Brotherhood of Locomotive Firemen and Enginemen, to Mr. H. J. Humphrey, assistant to the vice-president, C.P.R.

BY MR. SINCLAIR:

Q Now, Mr. Doull, we come to the question of stoker engines.

BY THE CHAIRMAN:

Q Well, before you do that, Mr. Doull, you gave some evidence as to the amount of time -- any one time when you were on the deck and you had not been able to observe. Do you recall what that evidence was?

A I am afraid I do not. That was in connection with the hand-firing, was it, sir?

Q Yes. If you do not recall it what do you say in view of the discussion that you have just had as to the periods of time during which you would be engaged on the deck with your attention fixed on your fire or gauge of water glass when you would not be able to look out?

A The time per fire, is that what you are wanting, sir?

Q No, how long a period would you have your attention engaged on your firing and when you would not be able to participate in the look out?

A Well, that was my estimate of 30 to 35 per cent of the time. With individual firing it would range -- actually throwing in of a normal fire would be about one minute which would give you a throw in of 12 to

A.C.Doull

15 scoops, possibly in that time.

Q So you say that at no time would your attention be taken off the matter of lookout more than for one minute?

A No sir, I would not say that, no.

Q Well, what do you say? That is what I want to know.

A That would be an average per fire.

Q I am not interested in the question of averages. I am now asking you if at any one time what would be the time -- the greatest time -- you say that you would not be able to attend to the business of lookout?

A Well, again, I am having to more or less make an estimate from a long time back, sir, but I would say that the longest would be when you had to use the poker and at the same time maybe throw in a fire at that time and you would probably be three or four minutes on a normal movement such as that.

THE CHAIRMAN: Thank you.

BY MR. SINCLAIR:

Q Mr.Doull, if you ever had to go back to shovel down coal in the tender, how long would you be doing that?

A It was never a practice for a fireman to go back.

Q You have never heard of a fireman going back to shovel down coal in a tender?

A Not going back. I never did it myself.

Q Well, going back to shovel it forward, shall I say?

A The only reaching for coal I ever did in my experience was a matter of taking the poker and running back and blowing some down. If I could not get it that way we took some steps to get it down.

Q Did you not ever rake it down?

A Yes, I have raked it down with a poker.

Q That is what I just said. Well, you could easily do that for as much as ten minutes could you not?

A No, you would not do it at any one time for as much as ten minutes because when you rake it down you would also have to be firing your engine, and if you were short of coal it was because you were doing heavy work and you would have to pay attention to your fire. It would be one of the occasions when more time would probably be spent on the deck than I had estimated as an over-all average.

Q Well, what I am suggesting to you, Mr.Doull, is that you would rake it down, put in a fire and go back and rake it again if you were working heavy like that. That has happened, Mr. Doull, has it not?

A Yes, but you would not do that very much, Mr. Sinclair, because there is a limit to the amount of raking down that would normally

be done.

Q The Chairman asked for the maximum amount and you gave it to him?

A I gave it to him on normal firing.

Q Oh, you gave it on normal firing?

BY THE CHAIRMAN:

Q In a situation of that kind where you are engaged in firing as distinct from looking and then a breach of the rules occurred which caused an incident, the fact that you had been engaged in firing would exonerate you, would it not?

A I do not think it has always been that way but I cannot actually recall definite incidents to give you; but it would exonerate you to a certain extent.

Q I could not personally understand how you as a fireman could be held responsible for something that occurred from a breach of the rules when you were carrying out your proper duties as a fireman and not engaged in lookout. Can you help me on that?

A Well, I think that consideration was always given to that but I do believe that men have been disciplined for such things as lookout. As I say, I cannot quote cases, but while they claimed they were on the deck firing the engine.

Q Well, that surely must have been that although they claimed that, whoever was

deciding it did not think it was a reasonable claim in the circumstances?

A Yes, probably.

THE CHAIRMAN: Thank you.

BY MR. SINCLAIR:

Q In stoker engines, Mr. Doull, I think your evidence was that if everything went well -- and I take "well" to mean that everything went completely all right -- you would never go down on the deck while you were on the road?

A While you were running, no.

Q While you were running?

A No.

Q Is that your evidence?

A Yes.

Q Are you suggesting to this Commission that you could sit on your seat and keep your distributor plate clean at all times on a stoker engine?

A Yes.

Q What do they provide tools for, Mr. Doull?

A They provide a small poker to clear the distributor plate.

Q Have you ever had a distributor plate that became carbonized -- where carbon built up on it?

A No.

Q It never did that?

A No.

Q They gave you a special tool to chip it off?

A No, they did not.

Q They did not give you a tool with which to chip the carbon off the distributor plate?

A No.

Q Did they give you a special tool to see that the jets were clean?

A No.

Q You did not have a hooked tool that you put in the jets to make sure they were right?

A No.

Q How long is it since you have looked closely at stoker-fired engines, Mr. Doull?
Last week?

A No, I do not actually recall my trips but I imagine it was probably in February.

Q Yes, but you were an engineer then?

A Oh yes.

Q You have not really paid very much attention to what a fireman is doing on a stoker-fired engine as long as you had steam?

A Oh no, I pay very strict attention to what the fireman is doing and all the tools and equipment which are on the engine.

Q You say there are not these tools on stoker-fired engines?

A They are not normally supplied, no.

Q Have you ever been a fireman -- you said yesterday that you had been on an H-1 -- that is a Hudson class 2800?

A Yes.

Q That is a stoker?

A I fired them when they were stokers, yes.

Q You fired them with stokers?

A Yes.

Q And on a heavy train, I suggest to you, Mr. Doull, that you watch that stoker trough very, very carefully?

A They were a very nice engine to fire as stokers. I can recall trips when we would be having trouble and I would be spending a lot of time on the deck but on a normal trip I do not think I got down on the deck at all on them.

Q You would turn sideways in your seat and watch to see the feeding?

A No sir, my stack would tell me.

Q On an H-1?

A Yes.

Q And you would never get down to look at your fire?

A I would^{not}/say that I never did but on a normal trip --

Q But I am talking about a normal trip?

A On a normal trip I would not get down to look at my fire except when I was suspicious of something being wrong due to the stack -- a change in the colour of the stack discharge.

Q I suggest to you, Mr. Doull, that on H-1's

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A.C.Doull

it was not unusual for the fireman to maintain practically a continuous watch when running at high speeds on his feed trough and his fire even in stokers?

A That was not my experience.

Q You have never done it?

A No.

Q And particularly you would do that if you took your coal from a dump in the Saskatchewan district, is that not so?

A Well, they are a very nice engine to fire as stokers.

Q When you took coal from a dump you would know about it?

A We always took coal from a coal dock and I would always know where the coal came from.

Q You would know if it came from a dump pretty quickly, would you not?

A Oh, if I looked at the coal I would probably realize it came out of a dump, yes.

Q And when you took on coal from a dump on a stoker engine you watched very closely, did you not?

A Well, I never recall any trouble with the 2800's I fired.

BY THE CHAIRMAN:

Q You were not asked that. You were asked if you watched it very closely?

A No.

BY RM.SINCLAIR:

Q You did not watch that closely?

A No.

Q Would you spend 25 per cent of your time in watching the feeding of the stoker and the fire?

A On a normal trip I would not get off my seat at all while running between stops.

Q I did not ask you that. I asked you if you would spend 25 per cent of your time watching the way the thing was feeding and your fire, your water, your water levels and matters of that kind?

A No.

Q You would not spend 25 per cent of your time engaged in your firing duties? That is, watching your gauges, watching your stoker feeding, and matters of that kind?

A No.

Q What percentage of your time would you spend, Mr. Doull?

A I would not like to estimate as to a percentage, actually, but it would be very small because an occasional glance would do it. You do not look at your water glass. You can see it all the time without looking at it actually. In other words, you know your water level as you are progressing without taking a direct look at it.

Q Q Give me your estimate as to the percentage of your time that you would spend engaged in watching your firing, your water, your jets and adjusting your jets and the feeding of your coal?

A Well, let us make it 5 per cent.

Q Five per cent? Now, what is the maximum amount of time that you had on a stoker engine in which, based on your experience, you were on the deck or watching the feeding of your fire?

A Well, I will have to think that over now to try and see if I can think of a trip with trouble.

Q They were so unusual, Mr. Doull, that you have difficulty thinking of a trip in which trouble developed on stokers?

A Pretty well, yes.

Q Is that what you are saying?

A Yes.

Q That is not what the firemen have complained to the company about, is it?

A I do not know what they have complained to the company about in regard to stokers.

Q Well, give me one that you can remember?

A I can recall one trip on an H-1 where we left Broadview with a badly clinkered fire which had been brought in. This was on a run through. I stayed on the deck for the first 16 miles of the subdivision turning up these clinkers so that I could burn them

and having trouble for steam and after our first stop at a place 16 miles from Broadview I would go back to my 5 per cent again.

Q But up to that?

A Up to that time I spent the 16 miles on the deck.

Q That is 100 per cent of that time?

A Yes, 100 per cent of the first 16 miles.

Q And that was a passenger run?

A Yes, that was a passenger run.

Q Did you ever fire a P-2 with a duplex stoker?

A No, I never did.

Q Have you ever seen one?

A A duplex stoker, you mean?

Q Yes?

A I have seen one.

Q Can you tell me how you could see whether your coal is elevating if you sit on your seat?

A I never fired one. I could not say about that. I just recall seeing one.

Q You have no experience with a duplex?

A No, no experience with a duplex.

Q Now then, dealing with this matter of signals, and what the fireman did about signals, Mr. Doull, I think you said that there were a few places, in answer to the Chairman, in the Saskatchewan District where the engineman cannot see the train order signals. Would you mind, please, telling the Commission what those places are?

A I do not know about that, what exactly I did say, but I can name one that I am quite familiar with, and that is the train order signal at Secretan, westbound.

Q The engineman cannot see it?

A On steam engines or diesels operating with the long hood ahead.

Q Cannot see it at all?

A No.

Q Did you complain to the management about that?

A No.

Q The rules require you to make positive identification of that signal yourself?

A That is right.

Q As an engineman, before passing?

A That is right.

Q And you say you cannot do it?

A I made positive by checking on the reports with my fireman; in other words, they did not accept his clear but asked him again.

THE CHAIRMAN: What is the rule?

MR. SINCLAIR: The rule is Rule 34, page 37. Rule 34 says:

"Crews on engines and snow plough foremen must know the indication of fixed signals (including switches where practicable) and members of train crews must know the indication of train order signals affecting their train before passing them. All members of the engine and train crews must, when practicable, communicate to each other by its name the indication of each signal affecting the movement of their train or engine."

BY MR. SINCLAIR:

Q If you are an engineman and you are going to secure a restricting order and the train order board was at stop, your right to track is gone, possibly, from there on, isn't it?

A My right, yes.

Q And you would say you would pass, as an engineman, a signal like that without knowing yourself?

A Not without knowing.

Q You say "knowing" is when somebody else tells you?

A When I verify it by knowing. We have to take that always by word of mouth.

Q Yet when you were a fireman you would say the only way you could know was to see yourself?

A We would not call a signal unless we knew it was clear.

Q But as a fireman who has a duty to know on a hand-fired engine, you would say for him to comply with the rule he had to actually observe it himself?

A Yes.

Q But that does not apply to the engineman?

A That applies equally to the engineman, but you are getting on a different angle on it.

Q Maybe I am, but I do not think so, Mr. Doull. In any event, that is one, at Secretan. Would you give me more? That is one, west-bound at Secretan?

A I am afraid I would have to go back through my mind quite a bit.

Q Well, do so, will you, because this must stand out in your mind because they are

places where you, as an engineman, would have to make certain that extraordinary precautions were taken.

THE CHAIRMAN: You say, Mr. Sinclair, that firemen who are engaged in the duty of firing, when a train order signal is approached, has to stop and observe the train order signal?

MR. SINCLAIR: I am saying that the practice has been, according to the evidence and as I have been instructed, that firemen would acknowledge the call of the engineman and repeat it to him, and that was taken to be compliance with the rule, but that the engineman positively had to know himself the indication and has always operated on that basis. If they found it impossible to do so, then they had to take special precautions. I am saying that was the practice. The evidence given was that the firemen did not call these signals only when they saw them; that was the evidence of Mr. Crate.

THE CHAIRMAN: There has been evidence given on that.

MR. SINCLAIR: There was the evidence of Mr. Doull that sometimes firemen would not actually see the train order signal before acknowledging.

THE CHAIRMAN: But where is the evidence that the engineman must see?

MR. SINCLAIR: I am saying that has been the practice. I would think that Mr. Doull,

and I think Mr. Crate also said, that he, as an engineman, would take the signal. I can put it to Mr. Doull.

THE CHAIRMAN: I am only talking about what has been put.

MR. SINCLAIR: I think Mr. Crate said that, as an engineman, he would get the signal.

MR. LEWIS: I do not recall that.

MR. SINCLAIR: Maybe not. The engineman would get the signal or control his train to get it.

THE WITNESS: Normally, yes.

THE CHAIRMAN: What do you mean by "get the signal"?

MR. SINCLAIR: See it.

THE WITNESS: Yes.

BY MR. SINCLAIR:

Q You cannot think of any other place?

A I cannot put my finger on one right now.

Q The train order signal is the most important signal you get, is it not, by actual observation?

A Well, I would say all signals are equally important.

Q You would say they were all equally important?

A Yes.

Q Now, Mr. Doull, when you were a fireman, were you not told that the train order signal,

and as a Rules Instructor, didn't you tell the men the one thing to be really careful of was the train order signal?

A No, we taught them to be careful about all signals.

Q You would not agree with the statement that the train order signal is the most important of all fixed signals?

A It is certainly a very important signal, but all signals are important.

Q I never asked you that. You would not agree that the train order signal is the most important of all fixed signals?

A Well, looking at it -- it is actually the most important, but missing any signal would cost you as much as missing a train order signal.

Q All signals are important, but the most important is the train order signal because it can put to you a complete loss of everything you have, the right to track and everything else, and have somebody coming the other way, change your orders?

A Yes, it could do that.

Q I think your evidence was that when you were firing, for block signals the men used to get up always from their seats and check them or check them from the gangway in hand-firing days; that is what you did, every block signal. I think that was your evidence?

- A I believe that was what I stated, yes.
- Q On thinking that over, did you really mean that, that every block signal was always got by the fireman, in the sense that he saw it?
- A In the normal firing, I would say yes, but if he were having trouble or something, he might pass it up.
- Q You instructed the firemen to patrol diesels?
- A I did, yes.
- Q As part of that instruction did you tell them they must never go back when they were coming up to a train order signal or a draw-bridge signal?
- A I taught them that they should patrol them at opportune times when they were not required in the cab.
- Q That is not what I am asking you, because they may never be required in the cab at all; you know that?
- A That is a matter of opinion.
- Q That would be a matter of their opinion, too?
- A Yes.
- Q Did you tell them that they were never to go back when they were coming to a train order signal; did you tell them that?
- A No, I did not tell them that specifically. I took it for granted that they would understand that from their previous experience.
- Q That they were never to go back when they were coming to a junction signal?

A No, not specifically.

Q That they were never to go back when they were coming to a drawbridge signal?

A Not specifically.

Q That they were never to go back when they were coming to a signal where there was a highway crossing at grade?

A I did not tell them that.

Q That they were never to go back when approaching a town or leaving a town?

A I would not say I specifically told them that because they were experienced men who understood that themselves.

Q You know, yourself, that they went back willy-nilly. You have seen them go back and you have never stopped them, irrespective of where they were on the road?

A Mr. Sinclair, when I was on a diesel engine I was an extra member of the crew and any member was at liberty to leave the cab at any time because I was there to take his place.

Q But he would operate in the same way whether you were there or whether you were not. You are not saying that the only reason he went back was because you were there?

A I cannot say what he did. When I was there even the engineer would get up off his seat and he would go back, when I was Road Foreman.

Q And you would run the engine?

A Yes.

Q I am talking about firemen and your instructions to them?

A I would say I never instructed them specifically outside of that they make their patrol at opportune times on the basis that I took it for granted that men with their experience understood the places where they would be required for important lookout duties.

Q That is why you felt it was not necessary for them to go back as they were just pulling out of the yard, for instance?

A Not necessary, no.

Q But how could they check when they are just starting off, like you told us the last couple of days, to see whether you are loading or not. You said they would go and flick it off?

A I said the first opportunity after you got out of the yard.

Q Then, you would be just on the outskirts of a town, where it is quite busy?

A That is right, on the outskirts of a town.

Q Where there are lots of highway crossings?

A Well, in some areas probably lots of highway crossings, yes.

Q As rules instructor, Mr. Doull, did you tell the management about this situation with the train order board westbound at Secretan?

A No.

Q You knew of that condition?

A Oh, yes.

Q Did you ever tell the management about the situation of a train order board and ask them to move it to make the visibility better?

A Yes.

Q Have the company moved train order boards so that the visibility of the engineman would be improved?

A I could not say if they have moved some. They may have but I have no recollection of any incident of that kind.

Q Yesterday when dealing with I think the second of your four trips -- when you were coming east you did some switching at Secretan and you said on that switching the signals were all relayed direct to you as engineman, and then in answer to my friend Mr. Lewis you said that if you were going west what would be the situation; you said if you were going west and if you were handling large cuts of cars the signals would have to be given through someone on the left side

of the locomotive. That is my note. Do you remember that? That is westbound.

A Oh, yes, I recall -- I think that is pretty well what I said.

THE CHAIRMAN: Where was this?

MR. SINCLAIR: At Secretan, westbound.

THE CHAIRMAN: On the main line?

MR. SINCLAIR: On the main line where he said that the signals would have to be given to someone on the left side if they were handling large cuts of cars. Those were the two things he put into it.

THE CHAIRMAN: That is for switching purposes?

MR. SINCLAIR: Switching westbound with large cuts of cars.

THE WITNESS: Yes.

BY MR. SINCLAIR:

Q Mr. Doull, if the trainmen got on top they could give you the signals direct, westbound at Secretan?

A I could not comment on that, Mr. Sinclair, because it is very seldom we switch westbound. It is an eastward fill-out point. I have had experience going on the siding there westbound, and that is a place where we normally use the helper, not only to take the signals but also to throw the switch if we have a train longer than the siding will hold.

Q That is because the tail end does not come up?

A You do not usually have time for the tail end to come up.

Q Why?

A Because.

Q You are running pretty close if you are doing that, Mr. Doull?

A Well, particularly at Secretan, with more cars -- I think it is 63 the siding holds-- if we had more than 63 cars we would not leave part at the station ahead intending to go in at Secretan, we would have time to go to Chaplin, which has a longer siding. However, that is a heavy grade and the track winds considerably. You change direction a lot and it is probably the windiest piece of territory. You can be making a nice normal run and after turning one of those curves the wind will come down and you will have considerable difficulty in continuing to go. That would cause lost time which on occasion has forced us to head in at Secretan rather than going to where we were going to in the first place.

Q But you cannot recall ever having done switching westbound?

A Outside of setting off a bad order car, no.

Q When you gave your answer to my friend and to the Commission you had not considered a man getting up on top and relaying the signals; is that correct?

A No, sir, I just considered the normal operation we do now, which would be with the fireman, the signals would be given to him as a convenient way of doing it.

Q Again on that same trip, when you came into the yard at Moose Jaw, at Curle, where you doubled over your train to yard it; do you remember that?

A Yes.

Q I think on this move the head man detrained at the switch, as you said?

A The normal move is he detrains at the switch.

Q I said on this occasion.

A Yes, he got the switch in front of the engine.

Q I would suggest to you that if you think this through, Mr. Doull; after the head trainman detrained there you said they use the helper on doubling the front end of your train when you back it into the yard; remember that?

A They use what?

Q You use the fireman to pass the signal; the signals were given through the fireman?

A Yes.

Q I am going to suggest to you that if the head trainman stays with your engine and the rear trainman comes up and gets the cut --

A Yes.

Q -- and then opens the switch for you to go back into your yard, and if the head trainman is on one of the cars near the engine, on top, he could give the signals direct to you?

A Probably he could by waiting for the -- definitely by waiting for the rear men to come up and keeping one man either on the engine or in the vicinity of the engine, signals could be transmitted.

Q Direct to the engineman?

A Yes. It would increase the final terminal delay a little bit, but other than that --

Q Really there is an advantage in having the head-end man there because he can line any switches that are against you on that traffic track that you are going up, and that is where he should be, is not it, rather than the fireman getting out and lining those switches?

A No, I would not say the fireman gets out. We are not involved there with switching as a rule. I mean by that, being a traffic track it is **rarely** you

find a switch against you unless it was being immediately used. In other words, as long as they are left in their normal position, which they always are, no switches would have to be lined. If they were against you it would be because somebody else was using them and you would have to stop and wait until he finished that movement.

Q And the head-end man would go up to your switch?

A No, the switch would be lined up for us by the crew using it.

Q You have never seen a situation where the route was not lined in advance for you?

A I have seen a situation where the lead switches was against me because another train was going to pull out, but when that situation arises I have to stop and wait until that other train went on and the rear brakeman would re-line the switch and we would proceed.

Q Mr. Doull, when you were running on freight trains as an engineman would you make running inspections of your trains as you went over the road?

A Not very much. I consider that my responsibility in that respect is seeing that running inspections are properly

made by the trainman.

Q Does the fireman making running inspections of his train as it goes over the road?

A Occasionally running inspections.

Q You are required to make frequent running inspections as an engineman of your train as it goes over the road, are you not?

A I would not say that. I was responsible for the safety of the train and in seeing that the trainman makes proper inspections. That is more or less the engineman's responsibility in that respect.

Q If you are going to make a running inspection on the right-hand side, and you say you do at times --

A On occasions.

Q When you are doing that do you ask the trainman to come over and watch ahead as you make a running inspection, come over to the right-hand side?

A No. Any time I make it on this particular subdivision I am working on now I have a habit of making one running inspection both eastward and westward at certain selected spots where the spot is well -- where it is clear, straight track and no road crossings.

Q What you are saying is that you do not

consider it practicable to make a running inspection as an engineman, is that right?

A I do not, no.

Q You do not think it is practicable for a fireman to make running inspections? Are you going to say that, too?

A Not exactly. It is not as practicable for him to make them as it is for the head-end trainman to make them.

Q When you are on a passenger train do you have to make running inspections of your train?

A About the same comment would go for the passenger train. At certain selected spots we would make a running inspection of the train.

Q Would the fireman ever make a running inspection on a passenger train?

A Yes.

Q Quite often?

A Well, fairly regularly.

BY THE CHAIRMAN:

Q He does it on both sides?

A No, sir, only on his own side.

BY MR. SINCLAIR:

Q You said that on the division that you were running on there was a lot of straight track, tangent track, is that right?

A Well, I don't want to give you that

impression. There is an awful lot of curves. I believe in the 108 miles there is something like 52 curves on it, on the prairies. I would not swear to the number, but around that, 52.

Q It would be on one of those curves you would make your inspection?

A Yes.

Q And it would be on a curve with a passenger train that the fireman would make his inspection?

A As a rule.

Q And it would be on a curve with a passenger train that you would make your inspection?

A Yes.

BY THE CHAIRMAN:

Q I thought you said before it would be on a straight track you would make your inspection?

A I would do it when coming around a curve when you have a straight, clear track ahead of you. You would then look back having seen the track clear ahead of you; you would then look back at the train coming around the curve.

BY MR. SINCLAIR:

Q When you make a running inspection, Mr. Doull, you glance back and then glance ahead? That is the normal way?

You take a sight ahead and you know where you are and you look back and then look ahead? You are maintaining an adequate lookout or you would not do it, is that not right?

A Right.

Q It is quite possible to do that?

A It is quite possible to do it, but the inspection would not be as thorough as made by a man who could devote his time to studying the train.

BY THE CHAIRMAN:

Q When you make these running inspections looking back what are you looking for?

A You are looking to see the running gear of the cars. You are looking for hot boxes or dragging brake rigging or anything like that. In the case of the hot boxes it means smoke, to begin with, and if equipment is dragging it creates dust, and the inspection of the train will show any of these defects.

Q What you are looking for is smoke or dust?

A Yes, sir, or sparks. Brake rigging might have fallen down and be up against a wheel and you would find sparks flying from the wheels.

Q It would not take long to see whether there was smoke or dust or sparks?

A It does not take long, no, sir.

----Recess.

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---After recess.

BY MR. SINCLAIR:

- Q On your fourth trip, Mr. Doull, you put part of your train into the siding and took the head end of your train over the cross-overs and went on the westbound main line to clear No. 2. Do you remember that?
- A Yes, sir.
- Q And on that occasion you said that the helper was used to take the signals?
- A For stopping in the siding, not for the cross-over movement.
- Q Just for stopping in the siding?
- A And the cut, the first move.
- Q The head with the cut.
- A All cross-over movements, the signals were given directly to me.
- Q In so far as the cut was concerned, if the trainman had walked up he could have seen or got up on top and you could have seen him?
- A As far as the cut was concerned, the trainman could have made it, climbed over to the other side and walked up maybe five or six cars and given me the signal for the cut, yes.
- Q So far as the tail end was concerned when he came in to clear, if he had wanted to give the signal from the rear by getting on the top and giving it to you he could have done so too?
- A I said, I think, that the rear end would have had to get on top as well.

Q The rear end?

A I think that.

Q Out of the cupola?

A Yes. Mind you, we have never tried it so I cannot be definite, but that is my opinion of it.

Q Then, at Belle Plaine, when you were on No.8, you had a saw-by and I think you said that you observed that the signals there on the saw-by when you were on the passenger train -- I take it you were riding the engine of the passenger train?

A Yes.

Q I think you said you noticed that the signals were being given to the fireman on the freight train?

A Yes.

Q Again that was a matter of convenience rather than necessity there also, was it not?

A As I said, at that place, by arranging to get out -- there was lots of room to get out -- to walk out there -- there would be no restriction to him walking out to the south side far enough to give the signals to the engineer.

Q Now, I was interested in your experience about crossing accidents, Mr. Doull. You told us about one occasion when you were near Regina and you were about a quarter of a mile from a crossing and you saw a car approaching the crossing and you called to the engineer to slow down. Do you remember that? That was you personally, was it not?

A That was approaching Moose Jaw.

Q It was at Moose Jaw?

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- A Yes.
- Q You were about a quarter of a mile away?
- A Approximately that distance.
- Q And running about 35 miles per hour?
- A Oh, we were running faster than that. It was a passenger special we had that day.
- Q A passenger special?
- A Yes.
- Q And how fast was the car coming? Was it really travelling towards the crossing at a high rate of speed?
- A No, the car was not travelling fast. The main thing that caused alarm was that it was an open car with four people in it, apparently all busy engaged in a conversation.
- Q You could see that when you were a long distance back?
- A Yes, that is right. I could see that. They were all more or less huddled together and they were plodding along quite slowly and were getting very close to the crossing and it just occurred to me that that car was not going to get over the crossing safely and I called to the engineer.
- Q And you say that he was able to prevent that accident in your judgment?
- A I think I said that by applying the brakes he reduced speed very slightly but that he missed the back end of the car as it came over

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the crossing by so little that I would say that that slight reduction in speed that was effected saved them from an accident.

Q Was a whistle signal given as you were approaching this crossing?

A Yes.

Q And they were paying no attention to the whistle sounding? The people in the car, so far as you could see, paid no attention to it?

A No, they paid no attention at all. In fact, I do not think they realized what had happened until the train had actually passed them because at that time in my recollection the engineer said to me, "look at those women." They jumped up and fell on each other just as though they had suddenly realized that the train had been there after it had passed.

Q You were giving the regulation crossing whistle and the last blast was being drawn out by the engineer until you hit the crossing?

A Yes.

Q And therefore in this distance you were talking about the crossing whistle was wide open?

A Yes, the whistle was being sounded according to the rules.

Q Are you suggesting, Mr. Doull, that in spite of that incident, that makes a fireman necessary to be there to meet those situations? You are not suggesting that to the Commission, are you?

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A I quoted the situation and I am not making any suggestion at all in regard to it.

Q That was a passenger train?

A A passenger special, yes.

Q You are not suggesting and I know you would not do this if you did not think so -- you would not suggest to this Commission that you need three men on any engine for making observations at highway crossings, are you?

A The more the better, actually, but I would not suggest that it was an absolute necessity, no.

Q Now, there was one other point which interested me and in the recess I was not able to put my finger on it. I may have this wrong because I am just going by the note I have here.

I think you said yesterday in answer to my friend that looking at an engineman -- and the way you put it, I think, was this -- that if business fell off and enginemen reverted to firing and firemen were removed from freight and yard diesels, that the engineman would exercise his fireman's seniority and displace passenger firemen who would then have no one to displace in freight or yard service. Do you remember that evidence?

A Yes, I remember it.

Q Did you have in mind, Mr. Doull, that that would result in some firemen not having work to do even though they had seniority dates prior to April 1, 1953?

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THE CHAIRMAN: A certain class.

MR. SINCLAIR: No, that would be firemen of any class who would then be running in passenger work -- yes, Mr. Chairman.

BY MR. SINCLAIR:

Q Is that what you had in mind, that certain firemen would not have work to do in passenger service if business fell off and enginemen exercised their firemen's seniority?

A No duties as they exist at present. That is what I said I had in mind. As engineers are cut off, eventually somewhere down the line firemen are put out of work and if there were no firemen other than passenger firemen then it would be the passenger firemen who would be out of work.

Q But you have heard Mr. Crump's evidence? You were here at that time and you have also seen the proposal which the company put forward.

A Well, I have not studied that proposal or actually read it myself.

Q Well, I suggest to you that that proposal makes it very clear that in the situation you have envisaged, if enginemen came back to firing because of fall off in business, then displacing passenger firemen, they having the seniority date prior to April 1, 1953 -- those firemen would run as firemen in freight or yard service as long as there

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was any engine moving which today would have a fireman on it and so that they would not be affected in any way by the proposal if firemen were removed from freight and yard diesels. You did not realize that, is that it?

A I cannot comment on the proposal.

MR. LEWIS: If I may, Mr. Chairman, I would comment that I think my friend's statement concerning the situation is correct and I admit it. I do not know, however, whether it is possible to put to a witness who has not had time to study that kind of proposal the details of the effect of Mr. Crump's proposal. I think he and I might argue it before the Commission.

THE CHAIRMAN: I thought it was in answer to a question put by you that the witness made his answer?

MR. LEWIS: I do not recall the precise words of my question but I can certainly say to the Commission -- and I am almost certain that that is the way Mr. Doull understood me -- that I was not dealing in my mind with the internal situation within which this guarantee obtains, and I am quite sure in my mind that Mr. Doull was not doing so. I cannot put my finger on it at the moment.

THE CHAIRMAN: Then, if we pass along from this subject, you and Mr. Sinclair can discuss whether there is any point left on it.

MR. LEWIS: In the interim period I quite agree with the proposal that all those with

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seniority dates prior to April 1, 1953 would stay on the engines in one capacity or another which means that the bumping would take place in the same way as it has until now.

MR. SINCLAIR: And I think as I explained it, and I think my friend agreed to it, that as long as there was a fireman who had a seniority date prior to April 1, 1953 not working and there was an engine which today he would have been assigned to -- no matter if this happens 12 to 15 years from now -- he would still have the right to run as a fireman on that diesel in freight or yard service.

MR. LEWIS: I assumed that that was the meaning of the proposal and I am glad to hear my friend emphasizing it.

MR. SINCLAIR: I am not emphasizing it. That is very clear.

THE CHAIRMAN: It is clear.

MR. SINCLAIR: I thought that was Mr. Doull's answer and I wanted to clear it up on the record.

BY MR. SINCLAIR:

Q I think Mr. Doull, you said that in yard service you made certain preparatory and final checks of yard engines, right?

A Yes sir.

Q But you are not suggesting to the Commission

that those checks were such that you needed both yourself and the fireman to do them?

A No, I was not. At present we both do certain things and I could not make any estimate as to what would happen if the fireman was not there, actually. What I mean is that I could do it.

Q You could do it?

A Yes.

Q Now, in working a yard engine around the clock on three 8-hour shifts, you will agree, Mr. Doull, I am quite sure, that by having preparatory and final inspection arbitraries for each crew that it is serious duplication of time involved for which the men are unpaid. That must necessarily follow, you would agree with that?

A Yes, that is right. Yes.

Q There was a rather surprising bit of testimony given and perhaps you could help me understand it. It struck me as being rather strange. You said that when you were in yard service that the yard men would come out and go across in front of the engine and get on the right hand side and give you a proceed signal while his mate was coming across and was in front of your engine.

A Yes, I said that.

Q Now, was there bad blood between those fellows? Were they fighting? Did he want to have his

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mate run down by the engine?

MR. LEWIS: Oh, come on!

THE WITNESS: I was not suggesting that,
no.

BY MR. SINCLAIR:

Q Well, why would he not see that his mate was in a safe position when he was given a proceed signal? Surely you are not suggesting that he would not appraisethe situation properly? You are not suggesting, are you that the yardman would not appraise the situation properly before giving you the signal?

A I am suggesting that at times the other two men would climb on the left side of the engine. At other times the other man might change his mind and follow the other man around over to the right side.

Q And you say that the man giving the signal from the right side would not be watching them?

A No.

Q He would not?

A No.

Q He is not very conscious of his mate's position, is that what you are saying?

A I think probably he would take their position too much for granted.

Q You are not suggesting that that is the normal thing?

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A That is quite a common thing with one of the crews that I worked with in the yard.

Q Did you as the engineer speak to them and say, "Look, fellows, this is not very safe and you are not doing it right and you had better start doing it right."?

A It was quite safe with the helper on the engine. If we had no helper on the engine I would have had to say something.

Q You were never there with a helper who was not always looking out?

A As I said to you, Mr.Sinclair, I only had the six weeks -- approximately six weeks -- in the yard and I had the same fireman all the time who was a very smart and well experienced yard fireman. He was also familiar with the yard and had been there for some years for medical reasons and he was a very alert man.

Q All it would require would have been a talk with the men to make sure that they were doing the move properly?

A The situation could have been corrected probably but as I say we had no reason to worry about it because of the fact that we had a helper on the engine.

Q A helper of the kind you have spoken of?

A Yes, that kind.

BY THE CHAIRMAN:

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Q In this situation you are speaking about the
engineman was standing and there were two
yardmen in front?

A The situation, sir, that the engine was
standing while the men went into the yard
office and then when they would come out to
move --

Q They would come out on what side of the engine?

A The left side.

Q The two of them?

A The three of them.

Q The three of them; yes?

A And they would walk down to the engine, one
of the men coming over to give me the signal
on the right side.

Q What do you mean by that? Would he cross
in front of the engine?

A Yes.

Q He crosses --

A He crosses the tracks.

Q And stepped around to the front of the
engine?

A Yes sir.

Q And he would be the only one you could see?

A The only one I could see, yes.

Q And then he would give you a signal to
proceed?

A Yes.

Q And where would the other two yardmen be?

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A That is where I was illustrating the point. These men would sometimes both climb on the left side steps and on occasions --

Q Wait a minute. You have one on the right side steps?

A Well, he would be on the right side -- probably still on the ground. He would give the signal to go.

- Q Well, he would cross the tracks to the right side of the engine and would be either on the ground or on the engine?
- A He would be on the ground at that time.
- Q He would be on the ground?
- A Yes.
- Q Proposing to step on the front of the engine, I assume?
- A Yes.
- Q He is the one who would give you the signal to proceed?
- A Yes, sir.
- Q Then, you say the other two would do what?
- A Sometimes they would both climb on to the left side steps and ride down with the movement to wherever we were going. At other times one of them would get on the left side step and the other would follow the first man across in front of the engine.
- Q You mean walk across the track in front of the engine?
- A In front of the engine, yes, sir.
- Q Which, of course, he should not do without knowing what is going on?
- A Yes, actually the yardman giving the signal should have made sure that everything was clear in front of the engine. However, having just walked in front of it he would know everything was clear and it was just a disregard of the movement of the other two

men.

Q In other words, it was his job to see that everything was clear in front of the engine before he gave the signal to proceed?

A Yes.

Q I understand.

BY MR. SINCLAIR:

Q Would you mind telling the Commission, Mr. Doull, what you would do in a situation where you got a slow signal from the ground, you are switching in the yard, and at the same time that you got a slow signal from the ground the fireman called "Five car lengths"? Would you speed up?

A No.

Q You would go on the ground signal and pay no attention to the five car lengths?

A Yes.

Q And if you got a two car signal from the ground and the fireman called "Four cars", would you still go on the two car signal from the ground and pay no attention to the four cars?

A Yes, sir.

Q If you had your head out of the window and the fireman called to you, would you pull it back in and say to him, "I did not hear you; what did you say?"

A No, I do not think so.

Q Does somebody calling to you like that, when you are doing your work, doesn't that bother

you sometimes, wondering what he said?

A I do not recall having had to wonder.

Q You could always hear?

A Yes.

Q Even with your head out the window?

A Yes.

Q But if you could not hear when you were making a move and had to pull in your head and then found out that the information did not mean anything, that would not make you very happy, would it?

A Probably not.

Q The introduction of diesels has improved immeasurably, Mr. Doull, you will agree, the ability of the lookout as against a steam engine in regard to such factors as no steam around?

A Certain types of diesels have improved the visibility. I would not say that for all of them.

Q Every time you move a steam engine, you get a steam exhaust, don't you, from the relief valve, a puff of steam comes out?

A Not a noticeable puff.

Q You have been on steam engines that leak?

A Yes, I have.

Q More than one?

A Quite a few.

Q And with steam around, particularly in cold weather -- they have cold weather in Moose

Jaw, don't they?

A Occasionally, yes.

Q You should be on the Chamber of Commerce.

A We do pride ourselves on being much milder than Regina, which is only 42 miles away.

Q You mean the difference between 42 below and 40 below?

A About that, yes.

Q Now, also, the smoke from a steam engine has interfered with vision in the yard, the smoke comes down?

A It has.

Q Now, the glass area of a steam engine, a yard steam engine, is not near as great as the glass area of a diesel, either forward or backward?

A No.

Q There is a much greater glass area on a diesel?

A Much greater, yes.

Q All those factors do affect your ability to see from the cab?

A Yes, they affect your ability to see, although we do have considerable trouble with all the glass in the diesels fogging up quite a bit, particularly in cold weather.

Q Did you ever have any trouble with the glass in a steam engine? fogging up, on a yard steam engine?

A I have had trouble with it fogging up.

Q And when you only have a little bit of glass, that can be pretty bad?

A One of the advantages of the diesel over steam is that on steam we had to put our head out the window and on a diesel you can keep it in, but you have to depend more on keeping the glass clear.

Q There is nothing to prevent you putting your head out a diesel?

A It is a very unhandy arrangement because we have bay windows on them **with** only really a narrow slide.

Q Just take the bay windows off, and then you would have no difficulty, is that what you are suggesting?

A You would have no difficulty in putting your head out with the bay window off.

Q Mr. Doull, when you started talking about switching elevator tracks, I felt quite at home, but I was wondering whether they had changed. When you are switching some cars out on to the elevator track, don't you tie them down; doesn't a man have to get up on top and tie them down?

A Yes.

THE CHAIRMAN: What do you mean by "tie them down"?

MR. SINCLAIR: Set the hand brakes.

BY MR. SINCLAIR:

Q In switching elevator tracks you said that

you had to be careful to make the spot right against the spout?

A Yes.

Q Don't you think you are being too good to these elevator agents because, as long as you put the cars on the up-side of the arrow, he is quite happy, because he has a pinch bar to bring them down?

A He would raise an awful row if his first car was not spotted properly. I think any agent of the C.P.R. will tell you that.

Q Perhaps you are giving them too much service in the light of the rate we are getting for that traffic?

MR. LEWIS: I have not qualified Mr. Doull as an economist, Mr. Chairman.

THE WITNESS: No, but I do know there have been complaints made to train crews for not having spotted them properly, despite the fact the elevator man may have three or four cars to move, when you place the first one he wants it perfect.

BY MR. SINCLAIR:

Q Do you know of any elevator track where, if a man got on top of the cars, signals could not be relayed directly to the engine?

A Well, that is another thing where I have not seen it done, so it is hard to comment.

My main objection in suggesting it might not be possible would be the necessity of the

engineer having to put his head out too far in order to see the top of the car.

Q The first car behind the engine or the second car behind the engine?

A Well, the top of any car. As I say, I have not tried to see how far out I would have to put my head, but you definitely cannot put your head very far out on the inside of an elevator track.

Q You mean on account of the spouts?

A Yes, on account of the spouts.

Q There is a chain on these spouts to tie them down and the elevator agent is required by his regulations to tie them down when they are not in use?

A That is right, sir, but that leaves a big bow-out that is just about in line with the engineer's head.

Q You think you cannot -- you are really wondering if you can get your head out, but you do not know?

A No, I have not tried. I know we made a practice of keeping our heads in.

Q You are talking about diesels, not steam engines?

A Pardon?

Q You are talking now about diesels and not steam engines when you are worrying about these spouts?

A Diesel or steam, both.

Q There is quite a difference, Mr. Doull, just think about it, as to where your head would be in relation to that spout, diesel versus steam. Are you not thinking about steam engines and particularly the P-1 and P-2?

A Most of my experience in working elevator tracks has been on steam. On occasions I have been in with diesels, but I was not, at that time, paying any particular attention to that feature of it.

Q Just before we finish, Mr. Doull, I am sure you and I can finish on a note of agreement, that diesel engines, in your opinion as an engineman, are an easier engine to run, easier on the engineman and ~~that~~ dynamic brakes are, as Mr. Crump has said, a tremendous advantage that these engines provide?

A I would say yes to the first part of your question and I agree that the dynamic brakes, so far as Mountain territory is concerned, are good, but we do not use the dynamic very much on the prairies as we find it not very satisfactory at the higher speeds.

BY MR. LEWIS:

Q Mr. Doull, Mr. Sinclair asked you about the time you might spend on the deck in case of a stoker engine and he asked you about watching various gauges and so on. I hand you Exhibit 92 which is a photograph of a

5100 Class stoker engine, showing the interior of the left side of the cab. Your seat is towards the left of that picture, not shown in the picture?

A I would say the fireman's right knee would be about there.

Q That is where the word "Class" occurs?

A Yes.

THE CHAIRMAN: Where what?

MR. SINCLAIR: Where the word "Class" occurs.

MR. LEWIS: Just about where the "S" is.

BY MR. LEWIS:

Q When you said in answer to Mr. Sinclair that you did not actually have to look at these things, would you explain what you meant by that in reference to these various gadgets that are shown in this photograph?

A Well, in starting out on the trip the fireman adjusts these five valves marked "Stoker Distributor Valves", to suit what he thinks is necessary for the distribution of the coal, and once he gets them set he does not, as a rule, alter them. Many firemen have a habit of making one setting for all engines, controlling it then from the valve marked "Main Stoker Distributing Valve", which supplies the steam to the jets. He would adjust that to give the fine distribution

of his coal over the fire.

The other valve he has to operate is the stoker engine valve, marked there. You see, there is a valve above and one below. The one below is the one by which he makes his fine regulation of the stoker engine for the delivery of coal.

- Q Where would the window through which you would have your forward lookout be in relation to those gauges marked "stoker engine valve" and so on?
- A I think that that is the top of the front window just above the valve marked "blower valve." I think that looks like the window.
- Q Therefore in handling all these valves you have mentioned you would be practically right in front of that window?
- A Yes, you would be in direct line with that front window and right at the left edge of this picture, I think that is the edge, that white streak is the edge of his side window.
- Q Where you would be looking through to see the colour of the stack?
- A Well, you would be looking through your side window with it open.
- Q And I notice the water-glass is toward the right top half, and you would be looking at that from time to time?
- A You are conscious of it. It is more or less a thing gained from experience and you are conscious of your water level moving up and down in the glass. You look at times directly at it, but it would be more seen out of the corner of his eye.

Q What about these stoker gauges?

A These stoker gauges would not require any attention unless he noticed a change in his stack when these gauges would indicate whether his stoker engine may have stopped.

Q What is this feed water gauge?

A That indicates the fluctuations of the feed water pump.

Q What attention would you have to give to it?

A This valve marked "feed water pump valve" regulates the amount of water required to maintain the level in the glass.

Q Would you have to look at it from time to time?

A It is not necessary; actually a lot of engines operate without that gauge at all.

Q What relation has it -- does the water-glass give you the same information as these gauges we are talking about?

A The water-glass gives you an indication of the amount of water in your boiler.

Q Is your water gauge, that is the feed water gauge related to it?

A The feed water gauge where used indicates that the feed water pump is operating.

Q You said in answer to Mr. Sinclair and

in answer to me that in a normal run you would hardly be on the deck at all; would you require much of your time to look at these various gauges, away from looking through the window, either front or side?

A I do not see that the time occupied would actually affect the lookout; it would only be a glance.

Q Now, Mr. Sinclair pressed you -- I do not think that is an unfair word -- as to whether a train order signal was the most important signal. Not being experienced in railroading I do not know, but, Mr. Doull, do you have to make a stop before approaching a train order signal?

A If the signal is displayed in a stop position you would stop in the vicinity of it. You do not have to stop short of it, like you do with other signals.

Q Do you usually stop at a train order signal? What is the usual occurrence?

A The usual thing is to stop -- the signal is located at the station and you stop in front of the station with the engine either right beside the board or maybe a car length past it, but at the station in order that it is handy for the trainman to go in and pick up the orders.

Q Mr. Sinclair referred to a bridge signal.

If there was a stop signal indication at a bridge and you did not obey it, would you likely land in a river or lake or something?

A The most important signal any engineer would ever see in his life is the one he has passed when it is red, regardless of what the signal is.

Q Mr. Sinclair also asked you to give him an example of a train order signal or train order signals which were on the fireman's side and which the fireman alone could see, and you mentioned the train order signal at Secretan westbound. Can you think of another one going eastward?

A Yes. I had my attention called, and I recall it now, that is at Wolseley, going east.

Q And I think you made it clear that with those train order signals, when the fireman announced them you make certain by asking him again what it is; is that it?

A Yes. We must know the indication and a lot of other things, the same as with switches. We know it by asking for a deliberate check to be made and then getting an answer on it, which is different to just the fireman calling it "clear" or the brakeman calling it

"clear" in the usual manner. We would want to be sure and we would call their attention particularly to the board by asking what is the indication of the board.

HON. MR. McLAURIN: You referred to the train order signal at Wolseley, that is between Regina and Broadview, east of Regina?

THE WITNESS: Yes, sir.

BY MR. LEWIS:

Q Mr. Sinclair did some arithmetic at which you marvelled, Mr. Doull. I am a little jealous and I am going to give you a chance to marvel at mine. Mr. Sinclair told you that according to certain calculations he thought you would have to put a scoop of coal in every 12 seconds. Have I asked you to go through the motions of putting a scoop of coal in as closely as you can and, if so, how long did it take you when you timed yourself doing that?

A Well, I have never timed myself, I don't think.

Q If I ask you to illustrate putting a scoop of coal in without a scoop in your hands, how long would it take you?

BY THE CHAIRMAN:

Q Have not we all seen it?

A Yes.

BY MR. LEWIS:

Q As a matter of fact I have a more direct timing of that if it is of any importance. I am not sure of that although a lot has been made of it.

HON. MR. McLAURIN: I tried to fire an engine once for five minutes and I was on the deck 120 per cent of the time.

MR. LEWIS: All I can say to that, sir, is that I would not even try it if I could avoid it.

BY MR. LEWIS:

Q How long did it take you when you tried to illustrate it?

A Oh, I would imagine just probably two or three seconds actually, I think.

BY THE CHAIRMAN:

Q Unless you had to give the shovel two pushes?

A That is right.

BY MR. LEWIS:

Q This is the kind of arithmetic you and I both can do. Supposing it takes three seconds to put in a scoop, and you have to put in a scoop every twelve seconds; that would be a quarter of that twelve seconds, that would be 25 per cent toward the average that you mentioned; is that not right?

A Yes. I think probably putting one scoop,

one single scoop in, might involve a little more than three seconds. I was thinking of the time it would take to just actually move the scoop into the coal pile and then into the fire-box.

Q Let us go one step further. You put how many scoops in for a fire, usually?

THE CHAIRMAN: At a time.

BY MR. LEWIS:

Q At a time; for one fire, how many scoops?

A Well, there would be a big variation in that as between different firemen and between different engines, but I think you could probably say an average of eight to ten scoops. That would be an average, not a definite fire. One fire might be more than 12 or 15 and another one you might throw in 4 or 5.

Q If you put in 8 or 10 scoops -- I think you told us it would take up to a minute for a fire, or about a minute, I cannot quite remember?

A I think I said about a minute for a fire.

Q And if you put in 8 to 10 scoops in that minute, then Mr. Doull suppose I give you this calculation. You have 28 tons, which you said you never would have, in 12 hours, which was one of the samples my friend gave you, and

assuming there were 10 scoops and 12 pounds to a scoop, my arithmetic is it would be just a little over 50 per cent of that 12 hours, even putting in 28 tons of coal. Would you marvel at my arithmetic, or would you be able to say anything about it?

THE CHAIRMAN: It is on the record.

THE WITNESS: I will take your word for the calculation, Mr. Lewis.

BY MR. LEWIS:

Q Now, you said in answer to Mr. Sinclair that when you instructed firemen with regard to diesel engines you did so in part looking to the day when they would become engineers.

MR. SINCLAIR: Did he use the words "in part"?

MR. LEWIS: I am not saying he used the words "in part" and I did not intend to do that.

BY MR. LEWIS:

Q I mean among the other things that you said you did, it was thinking of the day that he would become an engineer. Whether those are the words used by Mr. Sinclair or yourself, I do not at the moment recall.

A Yes, I think I said something to that effect.

Q And for that reason how thorough would be the instructions that you gave to a fireman with regard to a diesel engine?

A Well, a fireman would get all the instructions he wanted and he would get just as thorough instructions as were given to the engineer provided he wanted those instructions. In other words, we did run into the odd man who showed very little interest in learning about diesels, so I cannot say that same thing applied to all firemen.

Q Then there was one other point you were discussing, I think it was some point in the Moose Jaw yard where, if I remember correctly, you informed Mr. Sinclair the fireman could not see the signals, and at that point Mr. Sinclair asked you whether you did not have to stop in accordance with the rules. I am guessing, Mr. Doull, that the rule that Mr. Sinclair must have had in mind was Rule 7A in Exhibit 27. Do you feel that in proceeding in those circumstances, where neither you nor the fireman for that moment could see the signals, you were violating Rule 7A, either as to its letter or its intent?

A The circumstances in which I made the statement was I think that Mr. Sinclair

asked me if I did not always stop when signals disappeared from view. This was in connection with a doubling-over movement and I had to say in answer to that, for this reason, that I think I did explain that it was just the same as a train movement in that when we have coupled onto a cut of cars they are checked by the trainman and when he reaches the rear end he gives the signal to go ahead, a proceed signal, when he sees that the last car of the cut is moving. In other words, that we have them all tied together properly. He will then give a high-ball the same as if the train was leaving the yard.

We proceed through on this main lead, observing that it is clear, and the brakeman will be behind us and probably out of sight for some time. Naturally the one who is nearest the forward end of the cut rides around the curve to take up a position and relay the signals, at which time we will be looking ahead, knowing that our movement is exactly the same as though we had a caboose on the back end and had decided to leave town. We do not look for any signals.

Q I may be confusing it rather than clarifying it, Mr. Doull, but what I as a layman understand you to say is that once you got the highball to go you acted on that signal and from then on you kept a lookout yourself as you were pulling out?

A Yes, kept a lookout and proceeded knowing how many cars we were pulling out, and proceeded until where I considered that we would be approaching a point where the train crew was going to start giving me signals when we would, of course, watch for them and act on their signals.

Q Mr. Sinclair referred to something -- I did not quite get it -- in connection with some difficulty you were in last August, I think, when you had a Forestry Association car on a train and there was some heavy coupling. Do you remember that?

A Yes, I remember it.

Q And he asked you and suggested that you had received some discipline for it; if I remember correctly, he did not actually say any demerit marks but he read some citation which he said was on the form. Do you recall that?

THE CHAIRMAN: Form 104.

MR. LEWIS: Form 104.

BY MR. LEWIS:

Q Did you receive any form 104 in connection

with that incident?

A No, sir. Mr. Sinclair is going to produce it, I think, and if I have received it he could not produce it.

MR. SINCLAIR: I could produce a copy.

BY MR. LEWIS:

Q Mr. Doull, is there or is there not a receipt that you are required to sign if you are given a form 104?

A Oh, yes.

Q And is that receipt attached to the form 104?

A Yes, it is a perforated portion on the bottom of the form.

Q And if you had received that form 104 would you have signed that receipt?

A Oh, yes.

Q And that signed receipt would be in the hands of the company?

A Yes.

MR. LEWIS: Mr. Chairman, since this goes merely to the reliability of the witness and since August, 1956, is not very long ago my learned friend said he would produce form 104, but with great respect I would respectfully object to his doing that because it would not prove anything unless he also produced the receipt signed by Mr. Doull signifying that he had received that form.

MR. SINCLAIR: I did not want to do this, Mr. Chairman, but I will. I will not only produce

that but I will produce the statement of the man who gave the form to Mr. Doull and when Mr. Doull refused to take it away. I did not want to do this but now that you have asked for it I will put in the two documents together.

MR. LEWIS: I appreciate my friend's delicacy about it but if he did not want to do it he should not have asked a question about it. Since he has asked a question about it and if Mr. Doull is mistaken I think the Commission ought to have all that there is on it. This is not a criminal trial. This is an inquiry and in an inquiry the Commission ought to have all the facts relating to any issue that is relevant.

THE CHAIRMAN: We are in the hands of counsel with regard to it.

BY MR. LEWIS:

- Q Now, one final question in re-examination. The instructions which you as road foreman of engines were to teach engineers or firemen, Mr. Doull, who gave them to you, if anyone did? What were you told?
- A I was told nothing except that they must have at least 1,000 miles operating on a diesel before they could be qualified.
- Q Were you told what it was you were to teach the engineer?
- A No, sir, I was not told any particular thing. It was left to me to qualify the man.
- Q And were you told anything as to what you were

to tell the firemen, teach the firemen?

A No, sir.

Q You told Mr. Sinclair that the steam generator was mentioned in relation to the firemen when you were sent out as road foreman of engines?

A Well, it may have been. I think I was a bit doubtful of that when I told Mr. Sinclair. I don't remember being specifically told to teach him the steam generator.

THE CHAIRMAN: My recollection of the evidence, and I may be wrong, is that the witness said that he did instruct firemen on the steam generator.

MR. LEWIS: Oh, yes, I am not doubting that at all.

BY MR. LEWIS:

Q So that in effect would I be right that what you told me and what you told Mr. Sinclair amounts to the fact that when you were made road foreman of engines you were told to go out and qualify engineers and that what you taught them or showed them or what you taught or showed the firemen was within your own discretion as you learned it in your job and from others doing the same job? Is that about right?

A Yes, it was left strictly to the road foreman of engines.

BY THE CHAIRMAN:

Q How many thousand miles did you have on diesel

engines before you undertook to instruct others?

A Well, I could not say, sir, because we transferred a lot of diesels and at that time we were not qualifying men but I was more or less learning a lot about them myself during that period. That was a period of three years pretty near and I would have a large number of miles before I actually started qualifying men on other than just the handling of the diesel locomotive controls.

MR. SINCLAIR: Just one question arising out of the re-examination.

HON. MR. McLAURIN: Do you mind if I ask a question first?

BY HON. MR. McLAURIN:

Q You are very familiar with the Broadview-Swift Current territory?

A Quite familiar with it, yes, sir.

Q You would be intimately familiar with it?

A Yes.

Q That is where you have spent your railroad life as a locomotive engineer?

A A big portion of it, yes, sir.

Q And you only know of two places where the train order signals are not visible by the engineer, Wolseley and Secretan?

A Yes, sir, that is within that area, yes.

Q In view of your familiarity they must be the only two places?

A On that territory from Broadview to Swift Current.

MR. SINCLAIR: That was one of the questions I wanted to clear up with the witness. I have checked with regard to Wolseley because I thought he might have had that in mind.

BY MR. SINCLAIR:

Q Going east you said the engineman cannot see the train order signal at Wolseley?

A Yes, sir.

Q I am instructed that some 20 or 30 cars back west of it the engineman can see it but that on account of the position of the signal and the track lay-out there he is 20 to 30 car-lengths west of it when he first can see it. Now, thinking it over, Mr. Doull --

A My impression when I first gave you Secretan and did not mention Wolseley was exactly what you were saying but I was advised by a man who has worked on that territory regularly that it could not be seen and I was willing to --

Q Take his word rather than your own recollection?

A Rather than my own recollection.

BY THE CHAIRMAN:

Q Where are we now, Secretan and Wolseley?

A Wolseley.

Q What do you say about Wolseley?

A I am willing to agree that my impression was exactly what Mr. Sinclair says, that when you

get within a few car lengths of the signal you can see it prior to reaching it.

THE CHAIRMAN: How many did you say, Mr. Sinclair?

MR. SINCLAIR: I say 20 to 30.

BY THE CHAIRMAN:

Q Do you agree with that?

A I would say probably 20 is near correct. The locomotive is very close to it.

Q If it is 20, is 20 enough?

A And the fact that it can be seen from the left side by either the trainman or helper and reported would be enough because the engineer could see it himself without having to make any further check through them.

Q But what I have in mind, Mr. Doull, is assuming that we are only considering whether or not the engineman can see it and how far away he can see it, if the engineman can see it 20 cars away is that enough for the purposes of that signal?

A Yes, that would be enough for the purpose of that signal because he is not required to stop short of the signal. He can run past it.

Q Now, what do you say about Secretan?

MR. SINCLAIR: I guessed Wolseley from my own knowledge but I did not guess Secretan, so I will check Secretan.

BY THE CHAIRMAN:

Q Mr. Doull, at Secretan the engineer must be

able to see the train order signal westbound at some point?

A No, he is not able to.

Q He cannot see it until he is right opposite it?

A Well, he would have to cross over the cab to see it, not from his own side.

Q It is on the left side?

A Yes.

Q So the engineman cannot see the train order signal at Secretan at all?

A Not when he is westbound, no, sir.

Q From his position?

A From his position except that he can see it with the short hood diesels. He can see then and, of course, the car body type where he has full range vision of both sides.

Q I am just trying to visualize the situation. How long is a short hood type in front, the projection in front of the engineer?

A Oh, I would say probably, estimate 8 or 9 feet.

Q How much longer is the other type of road switcher?

A Well, we have them, I would guess some of them are 40 feet of hood in front of the --

Q Then, I am trying to visualize in my own mind how coming along a track you get to a position where you can see an object on the left-hand side of the track if there is only 8 or 9 feet in front of you and you never can see it if

there is 40 feet, but you say that is the actual situation?

A That is the situation, sir, yes.

THE CHAIRMAN: That is all. Thank you,
Mr. Doull. We will adjourn until 2 o'clock.

---The Commission adjourned at 12.30 p.m. until
2 p.m.

Wednesday,
May 15, 1957

AFTERNOON SESSION

-- The Commission resumed at 2.00 p.m.

MR. LEWIS: My next witness, Mr. Chairman,
is Mr. Keith Post.

MR. KEITH POST, Sworn

BY MR. LEWIS:

Q Mr. Post, you are now a fireman working in
Ottawa in yard service, is that right?

A That is right, sir.

Q And you joined the Canadian Pacific Railway
in January, 1946 as a shop labourer and in
September of that year were promoted to fireman?

A That is right.

Q Did you make any student trips before you were
promoted to fireman?

A Yes, there was a considerable number of trips
which we had to put in before we were allowed
to go out on the road as a fireman.

Q Just so that there will be no confusion about
this, in September, 1946 there were no diesels
in the Ottawa yard?

A No sir, there were not.

Q And in November 1952 you were passed as an
engineer having written the necessary mechanical
examinations and the Rule Book?

A That is right.

K.Post

Q And since November, 1952 you have been mainly in fireman's service, is that right?

A Well, I have been employed as a fireman, yes. I have never been promoted to engineer to actually work on the engineer's list.

Q You have never been set up as an engineer?

A That is quite right.

Q And at the present time and for some little while you have been firing a steam engine in a transfer job from Ottawa West to Sussex? Is that right?

A Yes sir.

Q You are also the local chairman of the lodge in Ottawa of the Brotherhood of Locomotive Firemen and Enginemen?

A Yes sir, Lodge 172.

Q 172?

A Yes

Q Which is the brotherhood involved in this matter before the Commission?

A Yes.

Q And what has been your record with the Canadian Pacific Railway since you joined them in 1947 with regard to demerits and that kind of thing?

A The only demerit marks that I can recall having had assessed to me were two. I think when I first started in a shop I neglected to punch a clock one day and they assessed me two demerit marks for that.

K.Post

- Q And as far as you recall you have had no others?
- A No others.
- Q Now, Mr. Post, did you at my suggestion do some timing of your hand-firing duties on your hand-fired engine on which you are working as fireman?
- A Yes, I did.
- Q What is the engine number?
- A 3433.
- Q Would you tell the Commission the results of that experiment?
- A Well, it developed -- when you asked me to perform this duty I had the brakeman time me each time I got off the seat to put the fire in.
- Q Yes?
- A As a result this was done between Ottawa and Ellwood.
- Q Between Ottawa and Ellwood?
- A Yes.
- Q What is the distance?
- A Approximately five miles.
- Q What is the grade?
- A It is all up grade.
- Q And what is the grade in the rest of the territory of Sussex?
- A The rest of the trip would be all down grade.
- Q So you timed this shovelling of coal over the

K. Post

five miles, I think you said, of the up grade?

A Yes, the up grade part of the road.

Q And what was the result of your timing?

A I have the list of it right here.

Q By the way, what was the brakeman's name?

A The brakeman was Henry Dupuis. On March 6 we had a train of 21 cars. The time I was off the seat was 180 seconds. The running time was 27 minutes.

Q That was three minutes you were off the seat in a running time of 27 minutes?

A Yes.

Q You said there were 21 cars. Were they all loads or were some empties?

A Yes sir. We very seldom handle empties going to Sussex Street as we switch these private sidings and it is all loads that are going to places in these sidings.

Q That was on March 6th?

A Yes. On March 18 we had 13 cars. I was off the seat 77 seconds. The running time was 16 minutes.

Q You said 77?

A 77 seconds.

Q The running time was 16 minutes?

A Yes. On April 3 we had a train of 25 cars. The time off the seat was 184 seconds and the running time was 27 minutes.

12. 1. 1951

Dear Sir,
I have the pleasure to acknowledge the receipt of your letter of the 12th inst. in relation to the above matter.

I am sorry to hear that you are having trouble with the machine. I will try to get it fixed as soon as possible.

I will be in touch with you again when the machine is ready for use.

Very truly yours,
[Signature]

Enclosed for you are the parts and instructions for the machine.

I hope this will be helpful to you.

Yours faithfully,
[Signature]

I am sure you will find the machine to be of great value.

Thank you for your letter.

K.Post

BY THE CHAIRMAN:

Q These trips were from Ottawa to Sussex Street?

A No sir, just to Ellwood, it is a junction around five miles out of Ottawa.

Q Well, where is Sussex or Sussex Street that you are speaking of?

A Well, Sussex Street would be -- by rail you would have to go to Ellwood then to Hurdman where you back into Sussex Street.

Q So, this was west from Ottawa west?

A It would be south.

Q South from Ottawa west?

A Yes, south from Ottawa west.

Q And from your experience on this run would the times that you were on deck during the three trips that you have mentioned -- would that time be representative or not of your work everyday?

A Yes sir, I think it would. The conditions were such that the injector was working and the steam pressure was maintained and that is also taking into consideration time for cleaning the deck.

Q The times you have given?

A Yes sir.

Q So that the Commission can know exactly the conditions in which you timed, do I understand you to have said that there was no difficulty with the engine on these trips.

K. Post

A No, no difficulty whatsoever.

Q No difficulty with the injector or steam pressure or anything like that?

A No, nothing like that at all.

Q Now, Mr. Post would you tell the Commission what you had as preparatories as you went on the job before the engine is taken off the track?

A Is this in reference to a steam engine?

Q Yes, to the engine which you work on which is a steam engine?

A Well, your first duty would be to book out, check your watch with the standard clock, read all the bulletins that have been posted, and then on boarding the engine --

Q Excuse me. Would you have far to go in order to board the engine?

A Usually on this particular job I am speaking of the engine is right handy to the shop. It is a matter of seconds to walk from the booking out room to the engine.

Q And then when you got on the engine what would you do?

A On boarding the engine the first thing to do would be to make sure that there was water in the boiler.

Q Yes?

A Then check your crown sheet and your fire box to see that there were no leaks at all. You would try your injector to see that it was

K.Post

working properly, check your flagging kit, check to see that you had water in the tender and sufficient coal and then you would check your supplies such as coal oil, grease and so forth.

Q What about spare bulbs and the like?

A Oh, spare headlight bulbs, extra water glasses. You would make sure that the tools for making any repairs on the road such as a hammer, monkey wrench and chisel and also a water glass wrench were there.

Q What is the arbitrary in the yard in Ottawa -- in this region -- for steam preparatory?

A 15 minutes.

Q And would the details you have given the Commission take you from the time you walked into the booking out office to the time you finished the checks? Would that take you the 15 minutes or less?

A It would take you the 15 minutes.

Q Pardon?

A It would take all of the 15 minutes.

Q Have you worked as a helper on a diesel?

A Yes sir, I have.

Q Would you tell the Commission what preparatory work you have done on a diesel engine?

A Well, of course, you would book out and check your watch and read your bulletins.

Q In the same way?

A Yes, in the same way. On boarding the engine

K.Post

you would check the flagging kit. You would check to see that you had spare bulbs. You would drain your main reservoir. If you were on a carbody type engine you would be down on the nose. The flagging kit and most of your equipment is in the nose and your facilities for draining the main reservoir are also in the nose on a diesel. You would check to see that you had a spare hose bag. You would see that there was a monkey wrench, a hammer and a chisel.

Q Would you have anything to do with the air compressor in that preparatory?

A Well, yes, that would be later on when you get back to the engine room. You would then go into the cab and check your fire extinguisher, see that it was sealed, that it was properly charged, you would check the weight of the fire extinguisher. Back in the engine room you would check to see that your fuses were all in place; that you had spare fuses. You would check your control air to see that it was at the proper setting. You then blow out the air control air reservoir, which is under the step of a diesel. You would blow out the control air regulating valve.

Q I think you had better turn towards the Commission because the Commissioners are the ones who should hear you, as well as we here.

A Yes. You would then drain the air from your dirt collector on the electrical cabinet; check to see that the ground relay was in. You would check to see that the hand brake was fully released. You would check to see that your air box covers were properly in place. You would open your air box drains to make sure that they did not contain any moisture that had accumulated there and drain it out. You would check the level of your lube oil, your

cooling system; check the oil level in your governor; make sure you had a spare MU cable, and check your fire extinguisher at the rear of the unit.

Q MU being multiple unit?

A Multiple unit cable.

Q These details you have dealt with in checking diesel engines, are they related to diesel engines that are going out on the road on freight or a yard diesel?

A That would be a road diesel.

Q What is the arbitrary for a road diesel in shop track?

A Thirty minutes.

Q Is there any difference --

THE CHAIRMAN: You might ask him the same question.

MR. LEWIS: About the time, yes.

I am sorry.

BY MR. LEWIS:

Q Would the checking that you have indicated take you the 30 minutes or less or more?

A Yes, sir.

Q Pardon?

A Yes, sir, it would take the 30 minutes. You would also, in checking the flagging kit, I neglected to mention checking the lamps for oil to see that they are properly cleaned.

Q When you use the term "flagging kit", am I right

in thinking you railroaders include in that the flagging lamps?

A Yes.

Q It is part of the kit?

A It is part of the flagging kit. They are flagging lamps.

Q Is there any difference between the preparatory duties you perform for a road diesel from the duties you perform for a yard diesel?

A Yes, the preparatories are not as many -- there are not as many duties to perform on a yard engine.

Q There are not as many duties to perform on what?

A On a yard switcher.

Q Yes?

A On boarding the engine, you would check your hand brake. You would check your flagging kit. You would also have to make sure you have your tools, your monkey wrench, your hammer and your chisel. You would go out alongside of the engine and turn your filters. There is a fuel oil filter to turn.

Q Are those filters which you said you turn, are they on all yard switchers?

A Any that I have worked on, they have been, sir.

Q Are they on road switchers?

A No, sir.

Q Are they on car body types?

A No, sir; the only engines I have seen them on are yard switchers. You would check your governor oil level; check your cooling system. You would also have to turn your lube oil filters which are on the opposite side of the engine, and drain both main reservoirs.

Q Now, what is the preparatory arbitrary for a diesel in yard?

A Fifteen minutes.

Q Pardon?

A Fifteen minutes.

Q What would be the time you would take to get from the booking-out office and do everything you have to do there, the checking, in relation to the 15 minutes?

A Well, usually at a regular yard, you would change off in the yard, and you could change off just about any place in the yard. They sometimes change off at the yard office and sometimes back at the scale house. It would all depend upon what work the engine was doing at four o'clock, if you were going to work at four o'clock, just what switching movements they had been doing. You would change off with the other crew.

Q You mean by that, that that would govern the amount of time it would take you from the booking office to the engine?

A Yes.

Q And after taking all that into account and the checking you do on the engine, would that take you less than the 15 minutes, or more?

A It would take you the 15 minutes and some-times more.

Q Did you ever receive any training before you went as fireman on a diesel?

A Yes, sir, I had to put in 1,000 miles.

Q When did you do that?

A That was in June, 1954.

Q Did anyone go with you on this 1,000-mile trip?

A Yes, the Road Foreman of Engines was present.

Q Who was he?

A Mr. Campbell and also Mr. Youngs; there were two Road Foremen of Engines working at that time.

Q They did not go with you at the same time?

A No, in 1954, June, 1954, diesel engines had just been introduced to Ottawa and they were in passenger service, and Mr. Campbell was riding what we call the west end out of here, to acquaint the enginemen and firemen with their duties. As I was on the spare board at that time, I had to make those trips and the regular men that were assigned to the jobs, they would also be

there taking instructions at the same time.

Q By the way, this 1,000-mile student trip which you took, did you take it on company time or on your own time?

A On my own time.

Q You did not get paid for it?

A Oh, no.

Q What were you taught? What were you told about on these trips?

A It was explained how to reset the safety devices. We were also told the importance of patrolling the engine periodically.

Q Yes?

A It was pointed out that different things could happen back there while we were en route, and it was a good idea to go back and not only check the pressures of the gauges but also check the engine over, give it a good check, going back to ascertain if anything unusual was taking place.

Q Were you instructed on the car body type engines or on the road switcher engines?

A On the car body type.

Q And were you instructed with regard to the steam generator?

A Yes, sir, that was part of the instruction.

Q What make of engine did you receive instructions on, do you remember?

A General Motors and Alco diesels.

Q Is there a steam generator on both makes?

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A Yes, sir.

Q Was there any difference between the steam generator on one make or the other?

A No difference at all.

Q Did you ever see or receive either Exhibit 129, which is a temporary form setting out the duties of firemen, dated June 1, 1949, or Exhibit 129A, which was a similar document dated December 12, 1949, or Exhibit 130? Would you take a look and tell the Commission whether you saw any one of those three, and if so, which one?

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HON. MR. MARTINEAU: What was the first one, Mr. Lewis?

MR. LEWIS: Exhibit 129, 129A and 130.

HON. MR. MARTINEAU: Thank you.

THE WITNESS: This Exhibit 129 is the form that was handed to me by the Road Foreman of Engines, whether it was Mr. Youngs or Mr. Campbell, I am not sure. I believe there were a number of men, all the firemen, in fact, that were on those engines received these forms.

BY MR. LEWIS:

Q Did you, yourself, see the other firemen receive them?

A No, I have not actually seen them receive them, but I know they have had them, they showed them to me and we have talked about them.

Q You see, there is a difference in the date and in the contents between Exhibit 129, 129A, and you say your memory is that you were given Exhibit 129?

A Yes, it is 129.

Q When were you given that?

A In June, 1954, thereabouts. The only thing I would like to point out, when we were given these instruction forms, the inspection form was not on the back of it.

Q You are referring to Sheet 3?

A That is right.

Q On Exhibit 129, the one that has the circles, the place for reporting the readings, that was not on the form that you received?

A No, sir. They were on the engines in pad form, there was a pad of these forms on the engines, which we completed. The Road Foreman of Engines showed us how to complete them and we completed them, signed them and handed them in.

Q With your permission, Mr. Chairman, I might summarize that. You received what are the first two sheets of Exhibit 129?

A That is right.

Q Sheets 1 and 2?

A That is right.

Q And so far as Sheet 3 is concerned, that was in a pad on the engine?

A On the Alco engines only. There was another

form for use on General Motors engines. We did not use the same form for General Motors engines.

THE CHAIRMAN: Exhibit 129 relates to Alco only.

MR. LEWIS: Yes, and that is what he says. Sheet No. 3 of Exhibit 129 was in pads on Alco engines only.

BY MR. LEWIS:

Q You said you had different forms for General Motors engines?

A Yes.

BY THE CHAIRMAN:

Q A form corresponding to Sheet 3?

A Yes.

Q But no instructions corresponding to Sheets 1 and 2?

A No, sir, no instructions.

BY MR. LEWIS:

Q Did you have occasion around about that time, Mr. Post, to be reached for a job on the spare board which you could not take?

A Yes.

Q Would you explain that to the Commission, please?

A As I recall it, I was just completing the required 1,000 miles and it was quite obvious there was a man that would be needed for Train No. 8 -- the exact date I do not recall.

Q That is a passenger train?

A That is a passenger train, yes. I asked that, since I was nearly finished with this 1,000 miles, if I could not go on this job and work it. It would be in my own turn to work, my own turn on this job. I was told it was necessary for me to have the required time in before I was allowed to go on these jobs.

Q Someone did go on the job, I presume?

A It was another fireman, I think his name is Leader, W. Leader, who was on that job.

Q Was he senior or junior to you?

A He was junior to me.

Q On the seniority list?

A He was also behind me on the working list.

BY THE CHAIRMAN:

Q What was your job then, engineer or helper?

A Helper.

Q On the thousand-mile trip what were you actually doing?

A We would go along through the engine-room and the Road Foreman of Engines would point out the different devices and then he would show how it would work. I want to make it clear that when you are back in the engineroom and the engine is working it is impossible to talk. So he would more or less show us the actions, how it would work, and then we would go back up to the cab of the engine and he would explain the operation and also point out the device in the instruction manual.

BY MR. LEWIS:

Q As a fireman on steam or as a helper on diesels, have you assisted the engineer in checking the brake action?

A Yes, sir. I neglected to mention that. That also is part of the instructions,

that was part of the instructions.

Q That you received from the Road Foreman of Engines?

A Yes, sir.

Q On the diesels?

A On the diesels.

Q Were you ever told whether or not it was your duty to assist the engineman in checking the brake action?

A Yes, sir, I was told by Road Foreman of Engines Youngs, Mr. Jack Youngs. In fact I can recall an occasion when the engineer was not qualified and where this engineer and I arrived in Montreal and we were to go back on the diesel engine and since the engineer was not qualified --

Q Was not qualified for the diesel, you mean?

A For the diesel engine. They had asked another engineer to change back with him, but the other engineer specified that he wanted his own fireman with him. On arrival at Montreal I was told that I would have to go back on this other job by the clerk in the booking-out office.

I took exception to that because I considered I had put in the thousand miles to work on these jobs and I

certainly was not passing up a turn because some engineer wanted to have a friend of his working with him. As a result the engineer that was going to take the diesel back insisted on going on the steam engine and they had to contact Mr. Youngs to ride with this engineer. Harvey Ferguson is his name.

Q That is the engineer who was not qualified for the diesel?

A That is right. It was apparent when Mr. Youngs arrived at the shop track he was put out about this trip that he had to make.

Q You do not blame him for that; he did not expect to be dragged away from home?

A But I certainly did not expect him to jump down my neck about it. In the course of conversation -- I don't know his exact words -- he said something to me that I was one of those fellows who knew all about everything. I told him, no, I didn't know all about everything, but I knew I was going back on this job and whether he went or not was indifferent to me.

This engine was an Alco engine, the one we were coming back on, and he asked me if I had been through these thousand miles. I told him, yes. He

asked me if I had been checked out on Alco engines and I told him I was checked out on everything.

Q Checked out on what?

A On Alco engines.

Q And you told him what?

A I was checked out on all; on both General Motors and Alco. When we boarded the engine --

MR. SINCLAIR: Passenger train?

MR. LEWIS: Was this a passenger train?

THE WITNESS: Train No. 7.

MR. SINCLAIR: What date?

BY MR. LEWIS:

Q Around what time was that, what year was it?

A It would be after, shortly after June, July or August.

Q Of what year?

A Of 1954. When I got up into the cab of the engine Mr. Youngs was up there with the engineer and he was showing him the brake, how it worked, and he told me to get down on the ground and observe the action of the brake. He said, "I thought you knew your duties on this job, and that is one of your duties, to get down there and see that these brakes operate properly."

Q Now, Mr. Post, how long have you been working in the Ottawa yard since you became a fireman?

A Well, off and on, yes; I was on the spare board for eight or nine years and you would work in the yard. That would be part of your duties, to work in the yard as helper.

Q Work in the yard or on passenger service?

A Anything they called you for.

Q Any turn that came up. Do you recall an incident which occurred in February of this year that would be of interest to the Commission?

A Yes, sir. We were switching at McKay Smelters.

Q First, what kind of engine?

A It was Engine 3433.

Q That would be the same engine you mentioned before?

A Yes, our regular engine on that job.

Q Who was the engineer at that time?

A Mr. Alex Hamel.

Q Did you have a ground crew with you?

A Yes, sir. The yardmen were Henry Dupuis and Earl Larkin. The conductor was Joe Taylor. We had been into McKay Smelters to spot a car and Mr. Dupuis' signals were given on the

engineer's side. Both Mr. Larkin and Mr. Dupuis were on the engineer's side of the engine. However, the door that they were spotting the car at was on the opposite side, on the fireman's side, and Mr. Dupuis walked around the car to see that the car was spotted at the door. Apparently he was not satisfied, he wanted to have it moved up, and he called to Larkin to move ahead a bit.

Q Let us get this straight. Mr. Dupuis was on your side?

A At this time, yes, sir.

Q Mr. Larkin was still on the engineer's side, is that right?

A That is right.

Q The signals had been given to the engineer?

A Yes, sir.

Q Direct to the engineer?

A Direct to the engineer.

Q You say that Mr. Dupuis called to Mr. Larkin to do what?

A To move ahead, two or three feet, I think it was.

Q Yes?

A And just as we began to move, due to the icy conditions Dupuis lost his footing and slipped. I yelled to the

engineer and he stopped the movement right away. After we had stopped to back up on our train Dupuis got up on the engine and he said to the engineer, "I certainly want to thank you for that quick stop because if you hadn't I would probably be minus a leg."

Q You say he stopped; did he slip away from the car?

A No, he slipped in under the car.

Q Pardon?

A He slipped in under the car.

Q That took place when?

A In February; I do not know the exact date.

Q February of this year?

A Yes, sir, the latter part of February.

Q What time of day was it?

A It was around 5.30 in the evening.

Q Do you have any memory of any other incident that would be of interest to the Commission?

A Yes. The incident I am thinking of is in connection with children in and around a track we had backed into on the Dominion Bridge siding.

Q Before you go on, what engine was that?

A 3433.

Q The same engine?

A The same engine, the same crew.

Q As you have mentioned before?

A Yes. We had backed into the Dominion Bridge siding to spot some cars, to place some cars of steel, and as we were pulling out I noticed a young lad about ten to twelve years of age running alongside the track. He was up on the ties right alongside the track, jumping from one tie to the other. I informed the engineer what was taking place and he slowed the movement down. When the young lad got to the crossing, the John Street crossing it is, he ran down the road.

At this particular moment I don't know why I turned around and looked behind, but there was a lad about five years of age running alongside the engine, holding onto the steps leading to the cab. I yelled to the engineer to stop. He immediately stopped and I got down on the ground and chased the lad. Dupuis crossed over to my side and he caught the lad and we gave him a lecture about running around railroad tracks and so forth and told him that if we caught him down there we would inform the police and he would be taken to jail and so forth.

Q During this incident where was the

yard crew, where was the ground crew?

A They were back there. I believe Larkin was tying down the cars we had spotted, we had placed in the Dominion Bridge and Dupuis was on the last car of the movement. I think we had six or seven cars we were going to pull up over the switch and then back down onto our train again.

Q You say he was at the last car of the movement, on which side?

A He was on the engineer's side.

Q Where was the yard foreman Mr. Taylor?

A I believe he was in McKay Smelters to see what movement they would want, what cars would be coming out of there.

Q You have acted as a fireman on passenger trains, Mr. Post?

A Yes, sir, I have been assigned to passenger trains.

Q Have you any memory of any incident in that part of your experience that might be of interest to the Commission?

A Yes, sir. There is one that stands out in my memory very vividly. Coming up on Train No. 1 --

Q May I stop you again. Was this powered by steam or by diesel?

A This was a diesel engine, 1400 class diesel engine.

Q Who was the engineer?

A Harry Barber.

Q This was what?

A On this particular trip, I believe it was Barber's first trip on this particular train. In fact I believe Mr. O'Brien had been on the engine leaving Montreal and had gone back into the coaches. However, when we were coming through Rigaud --

Q That would be on the way from Montreal to Ottawa?

A Yes, sir. We were approaching a crossing just west of Rigaud and Mr. Barber was sounding the whistle signal for the crossing and I noticed a young girl approaching the crossing. Apparently she did not hear or was paying no attention at all to the whistle signal. I did not have time to call to Mr. Barber and I knew that the application of the brakes would not do any good because we were travelling then I would say 65 to 70 miles an hour.

So I jumped from my seat, grabbed the whistle cord out of Barber's hand, and immediately gave some short blasts on the whistle. Then as the little girl was about to step on the track she lifted her head and saw us coming and stepped back and we went over the crossing. I say if we had taken one more step we would have hit her.

Q Now, Mr. Post, you discussed with me the question of signal passing in the parts of the Ottawa yard with which you are acquainted?

A Yes, sir.

Q Do you know or do you not know whether signals are in some cases passed through the fireman in the Ottawa yard?

A In some cases the are passed through the fireman, yes, sir.

Q And have you looked into all of those cases at my request and can you tell the Commission whether in your opinion it is possible so to arrange the work in those cases that the signals need not be passed through the fireman?

A Yes, I think that could possibly be arranged though I have never actually seen it done, but it might be possible to be done, yes.

Q And if my friend will permit me, because this does not hurt his side of the matter, there were, were there not, a couple of places that you people had been in the habit of having the signals passed through the fireman and in which the situation has now been changed by the turning of the engine? That is right, is it not?

A Yes, sir, Beech Foundry I think is one point. Although I have never worked the job I have spoken to the men that have worked it and they agree that the turning of the engine at Beech Foundry has eliminated the job of

the fireman having to take signals there.

MR. LEWIS: That is all I have, Mr.

Chairman.

BY MR. SINCLAIR:

- Q Mr. Post, are you saying that every fireman at Ottawa West before he is allowed on diesels is given a thousand miles?
- A I said in 1954 and subsequent to that or even after 1954 the firemen were required to make a thousand miles on diesel engines.
- Q Is it not a fact, Mr. Post, that they set up classes for firemen at Montreal for steam generators and when they did that they eliminated any firemen running on diesels before going out on regular trips on diesels?
- A They set up classes for the steam generator and they have eliminated the necessity of making trial trips now, but when that class was first started at St. Luc I am pretty sure that firemen were still making trial trips on diesel engines.
- Q Trial trips in the ordinary sense, three or four, do you mean?
- A Well, not having made them I am not quite sure. I know that I made a thousand miles.
- Q Do you know fireman Gervais?
- A Yes, sir.
- Q Do you know him?
- A Yes, sir.

- Q His first paid trip was on unit 7011 on June 3, 1955. That was his first paid trip. That is a diesel, is it not?
- A Yes, sir, that is a yard --
- Q A yard diesel?
- A I will qualify this to this extent. When I mentioned trial trips on diesels I was thinking of, speaking particularly in road service.
- Q Were you not thinking particularly of passenger service, Mr. Post?
- A In my case it was passenger service. We had no diesels in any other class of service at that time.
- Q You don't know of anybody having any requirement to do any travelling as a fireman if it was not for passenger service, do you?
- A Yes, sir, I have known.
- Q Where?
- A Now that you bring it to my mind, I believe I read a bulletin in Chalk River at one time that a fireman had made his first trip in February of 1956 and I understood that bulletin to read that firemen would not be used in other than steam power.
- Q Other than steam power in passenger service? Isn't that right?
- A In freight service.
- Q You are sure of that?
- A I am absolutely positive of it.
- Q All right. Do you know fireman Huneault?

A Huneault.

Q You know him?

A Yes sir, I know him.

Q He is a member of your lodge. He made his second paid trip on unit 8401 on September 8, 1956 and his first paid trip was on unit 7028 in yard service?

A Yes, sir -- when did that man start to work?

Q I don't know.

A I think if you look it up he started after the proceedings started here in this conciliation board hearing.

Q It may be.

A I don't think it may be. I know it is a fact.

Q The other man started on June 3, 1955. That was Gervais. You would agree with me that when Young took you back you were a very active fellow and you asked a lot of questions, Mr. Post, and also of Mr. Campbell? You were very active?

A Yes, sir, I was very interested in the diesel engine.

Q You asked many questions every time you saw a diesel maintainer about diesel engines and you were very, very interested because you were a passed engineman even at that time, were you not?

A Yes, sir, but I would like to clarify this, that being interested in the diesel engine I considered I was only doing my job.

Q I never said otherwise, Mr. Post.

MR. LEWIS: Mr. Sinclair was admiring you, Mr. Post.

THE WITNESS: I doubt that.

BY MR. SINCLAIR:

Q You cannot say that any of these men at Ottawa since early 1955 have ever made qualifying trips as firemen on diesels before they went out and after they were firemen? If they were running on steam there was no requirement for them to make any runs on diesels except that the had to go down and take their class on steam generators? That is the fact, is it not?

A No, I would not exactly say that was a fact. I have known firemen that have been out. Whether they were required to go out and make these trips in addition -- in fact, now that you bring it to my attention, while I think of it, this class that was held at St. Luc, I believe the requirements were that the firemen would go down on train No. 8 with diesel maintainer McLean and I understood he gave them instruction on the way down. They went over to St. Luc, were instructed in the steam generator and they then made the trip back on train No. 1 with diesel maintainer McLean and he gave them instruction coming back.

Q On the steam generator?

A I was never present at any of the instructions.

(2)

I don't know.

Q Now, Mr. Post, you know these firemen well and these things that are just flying through your mind, you have talked to the firemen around here about them a great deal?

A Yes, and the firemen so far as I can recall were instructed in resetting protective devices on the road.

Q Only if they asked about them? Isn't that right?

A No, sir, I don't think so.

Q But you don't know?

A Not absolutely sure, no. I was not present.

Q In regard to this patrolling that you have talked about, you say you were told to go back and patrol?

A Yes, sir.

Q You had to go back and patrol to fill in the form that was applied to diesel car body types?

A Yes, sir, we had to go back to fill in this form.

Q You did not have to be told to go back? It tells you right on here, "Readings to be taken at eighth throttle position under full load". That is Exhibit 130. Now, Mr. Post, are you also saying that you had never seen Exhibit 130?

A I didn't say I never seen Exhibit 130.

Q My friend, Mr. Lewis, asked you about Exhibit

129, 129-A and 130, and it was the best of your recollection, as I recall it, and I just want to clear this up, that you had seen only 129. Is that right?

A No, sir, I was handed Exhibit 129. I also stated that Exhibit 130 was on the engines in a pad form.

Q You never saw the third sheet of Exhibit 129. Is that what you are saying?

A That is quite right.

Q You never saw that?

A No, sir, I never saw it.

BY THE CHAIRMAN:

Q Then I am confused, Mr. Post. I thought you said you were handed the first two sheets of Exhibit 129, which are instructions, and that the third sheet was on the Alco engines?

A Yes, sir. Mr. Sinclair pointed out Exhibit 130 and they are similar sheets and Exhibit 130 --

MR. LEWIS: Take a careful look at them.

THE WITNESS: It was Exhibit 130, now that I see the two of them.

BY THE CHAIRMAN:

Q What was?

A Exhibit 130 was the form that was on the engine in pad form that we filled out.

Q Then the only thing that you had apart from Exhibit 130 was the first two sheets of 129?

A Yes, sir.

Q That is not quite what you said before.

A No -- well, I see the two forms and they are quite similar and when I saw the two of them together I realized --

Q I know. I am not quarrelling with you.

BY MR. SINCLAIR:

Q And you never received any written instructions to patrol road switchers?

A No written instructions, no, sir.

Q And this form, this sheet of instructions that you said you received, you would agree that is car body type units, would you?

A Yes, sir, diesel freight A and B units.

Q They are car body types?

A They are car body types, yes, sir.

Q And have you continued to make these preparatory checks that you answered my friend about in the last six or seven months?

A The last six or seven months, the only trips I have had on diesel engines I have made these checks, yes, sir.

Q You know that there are instructions out that these are not required of firemen or engine-men?

A The instructions are, I believe, that the fireman is not held responsible. However, being paid for this work I do it and feeling it is necessary to be done I do it.

Q You mean as long as the arbitrary is there you are going to fill in the time with it?

A No, sir. I feel the inspection is necessary

and therefore it is done.

Q In other words, you say that no matter what the company says you are going to do it? Is that right?

A Yes, sir, if --

Q Even if you were not paid, Mr. Post?

A I believe even if I were not paid I would do it. You would go down 15 minutes earlier, would you?

A No, not necessarily 15 -- yes, it would be 15 minutes earlier now if the arbitraries are taken away.

Q You would go down 15 minutes before you were called on a yard job?

A Yes, sir, that is what I am saying.

Q And 30 minutes before you were called on a road job even if you were not being paid?

A Yes, sir, I think I would. In fact, I think even if we get the 30 and the 15 minutes the men are down there before the actual time required.

BY THE CHAIRMAN:

Q You made a reference, Mr. Post, to a hammer, a chisel and something else?

A A monkey wrench.

Q On a diesel?

A Yes.

Q What do you use them for?

A Well, actually in my own experience I have never had occasion to use them but they are there for changing a hose bag or should any brake

rigging on any part of your train drop, any minor repairs that you could repair with these tools, in my opinion you are required to do it.

Q Well, has the fireman got anything to do with the brake rigging on a box car, for instance?

A No sir, you haven't actually got anything to do with it but I don't think that any fireman would sit on his seat --

Q Refuse to help?

A And not go back and give the trainman a hand to do what work had to be done.

BY MR. SINCLAIR:

Q You have lived in Ottawa a long time, Mr. Post?

A All my life.

Q How long have they had buses on the streets here in Ottawa?

A I don't know, I never gave it a thought, as far back as I can remember.

Q Did you ever slip on the curb and fall when the bus was starting off?

A No.

Q Ever see anybody else do it?

A No, but I have heard of an occasion when a woman slipped, I think it was at the corner of Bronson and Carling Avenue. I am not sure whether the woman was killed but I think she was severely injured.

Q They had one-man street cars in Ottawa before they took them all off, or maybe they are not all off yet. They have still got street cars?

A We are pretty backward in this town but I don't think we are that backward.

Q You remember the days when you had one-man street cars?

A I understand that they had horse-drawn street cars.

Q I asked you if you recalled when they had one-man street cars?

A No, sir.

Q You do not recall that?

A One-man street cars?

THE CHAIRMAN: That is not hard to recollect. They are still operating.

THE WITNESS: Oh, yes sir. I am getting confused.

BY MR. SINCLAIR:

Q No, you are not getting confused. You are just trying to -- well, forget it -- you remember them, do you?

A Yes, sir, I remember them. They are running today.

Q And people get off the back of them?

A Yes sir.

Q Did you ever see anybody get their arm caught in a door?

A No sir, but I seen a woman get her foot caught in a door.

Q Did you ever see children not getting off behind their parents and not having sufficient weight to put the treadle down to open the door?

A Yes sir.

Q Do you think they should have a man there to watch these things?

A I think they should have some device that would prevent that. They should compensate for a child's weight. If it is not safe enough for a child to stand on I do not believe it should be there.

Q The same would go for a person getting their arm caught in a door. Do you think they should have a man there to make sure you do not get your arm caught in the door or, as was the case with the woman you mentioned, get her foot caught in the door?

A No, I do not think so. I think that the number of people that are travelling on the streetcars today that someone there would see it and could do something about it if such an occasion arose.

The first part of the paper is devoted to a general discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The second part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The third part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The fourth part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The fifth part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The sixth part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The seventh part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The eighth part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The ninth part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe. The tenth part of the paper is devoted to a detailed discussion of the problem. It is shown that the problem is of great importance in the theory of the structure of the universe.

K.Post

Q Do you know how to stop a streetcar?

A No sir.

Q What would you do to help them -- yell?

A I do not know what I would do.

Q In yard service, Mr. Post, with yard diesels have you ever had an engine overspeed?

A On yard diesels?

Q Yes?

A Yes sir.

Q I do not mean a road switcher?

A No, a yard switcher. I have had overspeeds on yard switchers. In fact, in the few trips I mentioned that I have had, on one of those trips we had two occasions where the overspeed tripped and kicked out.

Q But you were running road switchers on that trip, weren't you?

A No sir, we had a yard switcher that day.

Q What was the engine number?

A It was either 7089 or 7028.

Q And you had an engine overspeed on that?

A We had two.

Q You had two of them?

A Yes sir.

Q Engine No.7089, you think?

A It was either one or the other of those two engines.

Q You had two engine overspeeds on it when you were on the Sussex transfer?

K.Post

A Yes. The reason we had the yard switcher that time, I believe, was that the Company are now using the NYC coal shutes and there had been instructions put out that only a yard engine -- a yard switcher -- was to be allowed at that coal shute, or could be used at that coal shute -- and I believe this was the reason we had that engine that particular day.

Q Did you reset the engine overspeed?

A Yes sir.

Q Is it an Alco?

A Yes.

Q Do you mind telling the Commission just how you reset an engine overspeed on an Alco yard switcher?

A I do not mind at all. To reset the overspeed you have to disengage -- there are six lugs in a long rod. There is a handle at the end of the rod and you disengage the lugs, pull your handle out and reset your lugs back into position.

Q You cannot do that when you are moving, can you?

Q Yes, you can do it when you are moving.

Q You can do it when you are moving?

A Oh yes.

Q On a yard switcher?

A Yes. In fact, I reset it on the move, but

K.Post

we were going up the grade between Qttawa and Ellwood and by the time I had reset it we had stopped.

Q You mean that your momentum carried on?

A That is exactly right; we were on the move.

Q Well, what would your speed be, about two miles an hour?

A Maybe five; I do not know. It was not very fast but to be technical we were on the move.

Q This was a single unit?

A Yes sir. We only had the one.

Q The engine overspeed stops the engine, doesn't it?

A Yes sir, it cuts the engine right out altogether.

Q And you were stopped before you could reset it?

A Yes, we had stopped before I could get it reset.

Q Now, with regard to these duties that you perform on these checks -- what you call a flagging kit and what is generally known as flagging material -- the lamps and the actual flagging kit itself and the flags and so on -- in road freight service they are checked by the trainman also, are they not?

A No sir.

Q He is required to do so by rule, is he not?

A I do not think so. I think by rule he is required to know that the lamps are in proper condition.

Q And he is required to check the flagging, too?

K.Post

A It has been my experience in the last ten years I have gone out on the road that the fireman checks the flagging kit, fills the lamps and by the time the brakeman comes around to the shop track and we are ready to proceed it is not uncommon for the brakeman to ask if the flagging kit is in order.

Q When you say that is the way he finds out, he is required by the rules to know but you do the work, is that what you are saying?

A Not only the trainman is required to know the flagging kit is in order or in proper condition but every member of the crew is required to know that.

Q But you do the work, is that what you are saying?

A I do the work, yes.

Q He could do it just as well as you?

A Oh yes, he could do the work.

Q This work you do --

THE CHAIRMAN: Do you wish a break this afternoon, Mr. Sinclair?

MR. SINCLAIR: All right.

--- The Commission took recess.

--- After recess.

MR. SINCLAIR: I have no further questions.

THE CHAIRMAN: Any re-examination?

MR. LEWIS: Just two small points, Mr. Chairman.

BY MR. LEWIS:

Q In reply to Mr. Sinclair, Mr. Post, you informed the Commission you never received instructions to patrol road switchers. Did you ever receive instructions, before May of this year, did you ever receive instructions not to patrol road switchers?

A No, sir, when those instructions were handed to us --

THE CHAIRMAN: Exhibit 130.

THE WITNESS: Exhibit 129, I think it is, sir, I understood it to mean all diesel engines. We were working on diesels and I understood it to mean diesel engines, road switchers or car body. It has been the practice to patrol the road switcher engines, not while you are running at a high rate of speed, but when the speed is slow enough to allow you to do that. The same thing in answering any of the alarms on road switchers.

BY MR. LEWIS:

Q You never received, up to May 2nd or so of this year, you never received instructions

not to do it?

A No, sir, never.

Q On the question of checking the flagging kit, as between the fireman and trainman, Mr. Post, when does the trainman, from your experience, get on the engine?

A The trainman usually boards the engine actually up in the cab of the engine, when we are on the train in the yard.

Q After the engine is off the shop track?

A Yes, sir, usually the trainman walks up to the switch, throws the switch and lets the engine out and you back down into the yard to where the train is, and after he has coupled the air hose, then the brakeman usually gets up into the cab of the engine.

Q Do you know, or if you don't know, just tell the Commission that, do you know when the trainman is called for duty in relation to the time when you have to arrive?

A I have heard them, especially lately, in the last year or so, discussing the matter of coming on duty, the point where they are to come on duty. Now, whether that has been thrashed out or not I do not know. It seems the men come on duty at the yard office at the time they are ordered for. I am not quite sure about that. It did not affect me and I did not pay any particular attention to it.

MR. LEWIS: Thank you, Mr. Post.
My next witness, Mr. Chairman, is Mr. Horace
Joseph St. Germain.

HORACE JOSEPH ST. GERMAIN, Sworn, Examined

BY MR. LEWIS:

Q You are now a fireman in freight service out of Ottawa?

A That is right.

Q And you are at the present time working as a fireman on a mixed passenger and freight train?

A Yes, the Waltham mixed.

Q And will you explain to the Commission what you mean when you say "mixed"?

A Well, we pull box cars and passenger cars together.

Q Box cars and passenger together?

A Yes, we have three coaches, usually, the baggage car, express and a coach.

BY THE CHAIRMAN:

Q I should know, but where is Waltham?

A It is about 80 miles west of here, nice smooth track.

BY MR. LEWIS:

Q On the way to where?

A You could cross over to Pembroke if you go far enough. We do not go quite that far. It is the end of the line for the Pontiac branch.

Q Waltham is the end of the line?

A That is right.

Q You joined the C.P.R. on December 5, 1944,

as a shop labourer?

A That is right.

Q And you were promoted to fireman on September 9, 1946?

A That is right.

Q After having been almost two years as a labourer in the shop?

A That is true.

Q Did you receive any training before you were promoted to fireman?

A Well, I had made some trial trips. My home was out in the country and any day off I had I would ride the engine home and learn to fire at the same time.

Q You informed me also you were qualified as an engineer in May, 1952, after having written the various mechanical examinations and the rule book?

A That is right.

Q And went through the oral examinations required?

A That is right.

Q But you have never yet been set up as an engineer?

A No, not set up permanently. I had a couple of trips.

Q Pardon?

A I had a couple of trips running when they were short of engineers, but not very often.

Q You also informed me, correct me if I am wrong, you have been working mainly on steam engines?

A Yes, mostly, I am working on steam.

Q And you have not had much experience on diesels?

A Not so much; I had a little bit of experience on passenger, but not a great deal. I was mostly on steam engines.

Q Mr. St. Germain, do you recall an incident which occurred on the first day of this month, on May 1, 1957, which would be of interest to the Commission?

A Yes, we backed down into the yard, what they call the big yard, in Ottawa --

Q I am sorry to interrupt you, but can you remember the number of the engine?

A It was 8575; we were on the Prescott way freight.

Q Is that steam or diesel?

A It is diesel.

Q It is a road switcher?

A A road switcher.

Q Do you remember the name of the engineer?

A It was R. Gale.

Q Gale?

A I think so. We backed down into the yard; we were doubling over our train, our train was on 12 and we were doubling over, and as we were proceeding ahead with the doubling

the engineer was watching behind for signals --

Q Where were the train crew, your yard crew, where were they?

A Our train crew was on the engineer's side, back on the engineer's side.

Q Back on the engineer's side where the cars were?

A Yes, towards our train; so far as I know they were not up in front.

Q How was the engine facing?

A We were proceeding south.

Q And you had doubled up on this track from 12 to another track?

A We had backed on to the front end of our section and we were pulling it ahead and backing on to the tail end of our train.

Q Yes, and then you are going to talk about what took place when you were pulling forward?

A On our forward motion, yes.

Q You say the engineer was looking back?

A Looking back.

Q To the train crew?

A Towards the train crew, that is right.

As we were pulling ahead I was looking out ahead and there was this man stepped out in front of the engine -- he did not step out, he backed out right in front of the engine. I shouted for my mate to stop. I said, "Hold it, there is a man on the

track." He stopped. We were not going very fast, and then he said to me, "Well, I did not see it." I said, "I know you did not." It was too close to the engine. He was not far enough ahead.

Q When you stopped, would you estimate how far away you were from this man who had backed out on to the track in front of the engine?

A Well, when we stopped, as we were slowing down to stop, he kept walking ahead, but when we came to a complete stop, I would say he was probably 20 feet ahead of us when we stopped. We slowed down and he kept going ahead of us.

- Q Do you know who this man was?
- A He looked like Mr. Smith, the yard master at Ottawa.
- Q You say he looked like him, are you sure?
- A I am pretty sure it was Ernie Smith.
- Q Do you know whether this man who was walking ahead of your engine saw you at any time while he was walking?
- A He had his back to us all the time.
- Q Pardon?
- A He backed up on the track and when he walked ahead I didn't see him looking at us at all.
- Q Was anyone else in the cab when this happened?
- A Yes, there was Mr. McClean, a diesel maintainer was on the engine at the time.
- Q And where was he standing?
- A He was standing over on the engineer's side.
- Q When you yelled to the engineer to stop the engine did Mr. McClean do or say anything?
- A No. He just walked over to my side and he bent over and looked out the window. He was still standing on the track.
- Q Who was still standing on the track?

- A Mr. Smith, the yard master, he was still in between the rails.
- Q He was still in between the rails in front of your engine?
- A He just looked at me and he did not say nothing.
- Q Did you ever work on way freights, Mr. St. Germain?
- A Yes, quite a few experiences with way freights.
- Q Do you have any instances of the sort you have told us in those experiences?
- A Well, there was one that I never forgot. We were coming down the Gatineau with a load of logs.
- Q Do you remember the name of the engineer in that case?
- A Yes, it was Gerry Stagg. He was the engineer. As we were coming down from Farrelton, it is a down grade, it was in the spring and it was dark beside the track and I thought it was snow that had melted away and I kept looking and looking and then I noticed it was two young kids with their heads down on the rails listening for us.

I shouted for the engineer to plug her; I knew we couldn't stop. He plugged her and blew the whistle. I was halfway out the window making

signs for the kids to move. One young kid moved all right but the other kid stayed there until about the last second and we just missed him.

Q Did you have a yard crew or train crew?

A No, that was a main line crew.

Q You had a train crew with you?

A That is right.

Q Where was the head-end brakeman?

A He was on the engine with us.

Q Did he see any of this that you saw?

A When I shouted for him to stop he looked out, but we could not do much but only hope that they got out of the road as we were slowing down.

Q These incidents you have told us about, the one that happened on May 1 of this year and this one, from your way freight experience would you be able to tell the Commission from your memory whether they are exceptions to the rest of your experiences or whether you have had similar things happen to you in your service?

A I have had different things happen but just never paid any attention to them, they were just in the course of our duty and I forgot all about them, but there are different times when we remember them and when I averted a

a tragedy even by calling the engineer's attention.

MR. LEWIS: That is all, thank you.

BY MR. SINCLAIR:

Q On this move on May 1, Mr. St. Germain, one of the train crew could have come up and got on the front of the locomotive, could he not?

A Well, probably he could have.

Q And if he had done so he would have had a better view ahead than you as fireman and the engineman put together, would he not?

A He might have, but I don't think if he could have been doing his job he could have been up on the front. He could not be back receiving signals from his other mate.

Q After the matter was cleared up and he was going to give the final signal to pull out of Track 12 so that you could back onto the rest of your train, he could have walked up and taken a position there and he would have had a completely surrounding vision?

A I work quite a bit on way freights and freights --

Q Could he not do that?

A -- and I have yet to see a tail-end

brakeman walk up.

Q Brakemen try to save their feet?

A It is not altogether saving his feet.

Q You do not agree that the brakemen save their feet, you never heard of that?

A Well, of course everybody saves their feet if they have a chance to, I imagine.

Q But if he did walk up you will agree that he would have had complete vision?

A If he had walked up to the front, but I do not see how he could be back in position to do his work if he had been at the front.

Q You do not think he could do the job behind and then come forward before you moved ahead; you do not think that is possible?

A To do the job behind? I don't understand what you mean.

Q To back down there, couple onto your train. There was a conductor and two trainmen there?

A That is right. The crew consisted of two trainmen and the conductor. I don't know where the conductor was. He was away getting orders.

Q You were moving onto Track 12 before you doubled onto the rest of your train?

A We were going to make a coupling. It

takes two men to make a coupling and the conductor was away getting his orders. He was not right there when we were making the coupling.

Q You say it takes two men to make a coupling?

A One man was back there and the other fellow was up at the switch, I imagine; they were on the engineer's side.

Q Up at what switch?

A At the switch we were doubling over from.

Q Was that ahead of your movement?

A No.

Q It was behind your movement?

A We were trying to back onto the drag and he lined that switch for us to back up.

Q You were on Track 12?

A The train was on Track 12.

Q You backed into Track 12?

A That is after we made our first coupling.

Q Where did you come from for the first coupling, what track was that?

A Track 10 or Track 11.

Q You went in there, backing up with a light engine?

A That is right.

Q Who rode the engine in?

A The brakeman.

Q Just the one man rode in?

A Right.

Q You made your coupling on that first part of your train?

A That is right.

Q There was only one trainman there?

A As far as I know. I didn't see him; I was on the left side.

Q Then you pulled out of Track 10?

A That is right.

Q Did somebody close the switch?

A Yes, sir.

Q Who?

A I imagine it was the brakeman.

Q Which one, the rear man or the front man?

A I do not know who.

Q You were not paying any attention to where the trainmen were?

A I was paying attention the other way. They were on the engineer's side; they were not on my side. I was watching my side; I wasn't watching to see where the trainmen were. That would be out of my position.

Q You don't know whether there were two or three men working with that engine?

A There were only two on the line, and the conductor.

Q You say you think the conductor must have been over getting his bills, is that right?

A He was definitely out getting the orders.

I have worked there many times and any time you go south the conductor has gone to get orders and the trainmen then make up their train.

Q You say that as you moved ahead out of Track 12 this incident occurred, is that right?

A No, not when the incident occurred.

Q Pardon?

A We were not moving out of Track 12 when the incident occurred. We were pulling up to back onto Track 12.

BY THE CHAIRMAN:

Q Pulling out of 10?

A That is right.

BY MR. SINCLAIR:

Q You were pulling out of 10?

A To back into 12.

Q Ready to back into it?

A For to back into 12. We were pulling out far enough to back up.

Q You were moving ahead?

A That is right.

Q And the switch was lined for you at 10 to go out on the lead, was it?

A We were out; when we pulled out of 10 we had the switch.

Q You were past that when this incident occurred?

A Yes.

Q There was one man who stayed back at that switch to line it?

A I did not see who stayed back at the switch because it was not on my side.

Q If there were two trainmen one could have stayed at the switch and then opened the switch for you to 12, could he not?

A I don't know just what he did.

Q I am asking you if he could have done it; do you know?

A I don't know what he could have done. They work that out among themselves, where their positions are. They very seldom are told where to go at all.

Q You are not suggesting to the Commission, are you, that this ground crew, this conductor and these two trainmen could not make this move safely without you being on the engine, are you?

A Well, the point is for the safety part, was whether the fellow stepped out on my side and unless they were on my side of the engine they would not have seen him.

Q Or riding in front?

A It could be possible they would be riding in front and would not see it either, if they were watching or turning back to the tail-end brakeman because he stepped from the other side.

Q I am asking you whether you are suggesting, Mr. St. Germain, that in your opinion this move could not have been made safely without you being on the engine?

A It might have been able to be made safely, but it could have been made with tragedy too.

BY THE CHAIRMAN:

Q Where was the front-end trainman?

A As far as I know --

Q Just a minute. Where was the front-end trainman when you say this man stepped onto the track?

A He was back on the engineer's side.

Q Both of them?

A Both of them, as far as I know.

Q Could you see them?

A I was on the other side.

Q You do not know where they were?

A All I know they were back on the engineer's side.

Q How do you know they were back there?

A Because my mate was looking back at them; I imagine that is what he was looking for.

Q I don't want you to imagine anything, I just want you to tell us what you know.

BY MR. SINCLAIR:

Q He had got the signal from them?

A That is right.

Q And he would still be looking back after he got the signal to proceed?

A Sure. If you only have a short distance to go you watch for a stop signal.

Q How many cars did you have?

A We left with I think around 35 or 40 cars altogether. I would say we probably had 15 cars.

Q And you were going to pull them clear of the switch?

A Up over the switch. We probably did not have 15 cars, may have had 10 cars. I think we left that day with approximately 35 or 40 cars.

Q It would not be very far for one of the trainmen to have walked up to get in front of that movement on the engineman's side?

A It would not be that far.

THE CHAIRMAN: Was that required by the operating rules?

MR. SINCLAIR: No, I do not think that is required by the operating rules.

MR. LEWIS: My friend says it is not required?

MR. SINCLAIR: That is what I said.

BY MR. SINCLAIR:

Q If the engineman was not able to see ahead he would have been required to

stop, would he not?

A If he was not able to see, but he was not able to see. He could not see what was happening on my side of the engine at close range.

Q This man stepped up from your side?

A When he stepped on the track he was only about 10 feet away from the engine, when I seen him step on the track and I shouted he was about 10 feet away.

Q Actually he may have seen your engine and angled into the track and walked ahead; that could have happened, could it not?

A I do not think anybody would be foolish enough to step into the middle of a track with an engine coming. I don't think I would.

Q You don't know what he would do?

A I know he stepped in between the tracks.

Q In between the rails?

A Well, the rails that we were using.

Q And he was 10 feet ahead of you and then when you stopped he was 20 feet ahead?

A When we got stopped he was, I would say, about 20 feet ahead.

Q You must have been moving at about two miles an hour?

A I would say we were moving about three or four miles an hour, not any more

than four and about three miles an hour.

Q Was he walking at a good smart pace?

A Well, he was walking as we were slowing down. It would not take much of a walk to keep ahead of us.

Q You are very clear about this move, are you, Mr. St. Germain, or is this something you have just -- I can understand it, is this something you have just called to your mind?

A No, it was no such thing. I seen it with my own eyes, it was not a case of might.

Q There might have been an accident, and that is about all you can say. You are not going to say that if you had not called there would have been an accident?

A There might have been if he would not have stopped, there could have been an accident.

Q You don't think the man would have heard you coming and stepped clear?

A I don't think so. I know that I never step in front of an engine when it is in motion.

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Q You say that is a usual thing you find going on in yards or it is not an uncommon thing, should I say, rather than an unusual thing? It is not an uncommon thing?

A We have seen it happen quite often.

Q All right, that is one time that it occurred. When was the time before?

A In the yards with people -- we never bothered keeping track of them. I haven't been working in the yard very much.

THE CHAIRMAN: To take that situation, Mr. Sinclair, do I understand that you suggest that the yard crew in charge of that movement relied on the presence of the fireman there?

MR. SINCLAIR: Yes, sir.

THE CHAIRMAN: And for that reason one of them was not out in front?

MR. SINCLAIR: That is right.

THE CHAIRMAN: That is the way you put it.

MR. SINCLAIR: That is the way I put it.

BY MR. SINCLAIR:

Q You have not had much experience in yards, you said?

A I have not worked in the yard much for a few years, but I had that occasion when I was on a way freight there when we were going out of the yard.

MR. SINCLAIR: That is all.

BY MR. LEWIS:

Q Just one question, Mr. St. Germain. Mr.

Sinclair asked you where the yardmen were and you said you did not quite know because they were on the engineer's side?

A Yes.

Q And then he asked you whether one of the yardmen could not have come up front and then he would have had a clear view. Now, do you remember whether the engineer was looking back all the time as you started to make this move forward pulling out with the cars to back into 12?

A When I looked at him he was looking behind him.

Q And did you signal to him to come to a stop or did you yell?

A I shouted at him.

Q From your memory of that particular occasion -- I am not asking you for any theories but from your memory of that particular occasion, if there had been a man standing on the ground in front of the engine would the engineer as he was then sitting have been able or would he not have been able to see any signal from the man on the ground in front of the engine?

A Well, not while he was looking behind him he would not.

Q Pardon?

A He would not have seen any signal while he was looking behind.

Q He was looking in the other direction?

A He was looking in the opposite way.

THE CHAIRMAN: That was not your question. I thought your question was, would the engineer, if he had been looking ahead, have seen a signal from the man --

MR. LEWIS: No. This is the point I was making, as I think the record will show. Perhaps the engineer should have looked ahead and my learned friend may argue that but the engineer's eyes were rivetted during that movement behind him where the cars were and where he was receiving signals to proceed and from where he would be receiving a signal to stop.

THE CHAIRMAN: I would assume from the fact that the engineer was looking to his rear that there was no one in front of him to signal, to give him a signal.

MR. LEWIS: You say because there was no one in front?

THE CHAIRMAN: No, I would assume from the mere fact that the engineer was looking back that there was no one riding on the front of the engine or on the ground in front of him to give him a signal.

MR. LEWIS: That is right, sir.

THE CHAIRMAN: That is the way you look at it.

MR. LEWIS: Yes, and in that case, unless there was a prearrangement that the signals would be relayed from the yardman say at the end car to a person on the front of the engine to be

relayed to the engineer, unless that was the circuit, having a man in front would not serve any purpose.

THE CHAIRMAN: Yes.

MR. LEWIS: Thank you, Mr. St. Germain.

The next witness is Mr. Lorne William Blackburn.

LORNE WILLIAM BLACKBURN, sworn, examined

BY MR. LEWIS:

- Q Mr. Blackburn, you have informed me you are now a hostler in the Ottawa yard?
- A That is right.
- Q But that until very recently you were working as a fireman in the Ottawa yard?
- A That is right.
- Q And that you joined the Canadian Pacific Railway on September 11, 1950, as a shop labourer and that you were promoted to fireman on June 12, 1951?
- A That is right.
- Q And that you have written your first and second mechanical examinations and your "B" rule book but you have not yet written your third mechanical examination or your "A" rule book?
- A That is right.
- Q So you are not yet qualified as an engineer?
- A No.
- Q Do you recall, Mr. Blackburn, an incident which happened on March 7 of this year?
- A Yes, I do.
- Q What engine were you on?
- A We were working the day yard with engine 8401, what is designated as the big shunt.
- Q On engine 8401?
- A 8401.
- Q That would be a road switcher?
- A That is a road switcher.

Q Was this road switcher used regularly in yard service or was it used --

A No, it was used on the main line and in yard service too.

Q And you were working what shift?

A Eight to four.

Q And this incident that you are about to tell the Commission about occurred at what time of the day?

A Well now, it was in the afternoon. I think it was between one o'clock and two o'clock. It might have been a little later or a little earlier.

Q It was in the second half of the shift?

A It was in the second half of the shift.

Q Who was your engineer, do you remember?

A R. G. Gale.

Q Will you go ahead and tell the Commission every detail that you remember of the incident?

A While we were kicking cars back and forth in the river yard --

Q The river yard is the name you give to one --

A The big yard or river yard. We have the little yard and the big yard and the big yard is the river yard.

Q You have part of the yard which you call the little yard and part of the yard --

A One side is the little yard and the other side is the big yard or river yard.

Q And you also call the big yard the river

yard?

A Yes.

Q Go ahead.

A We were kicking cars down, I think it was the west main line and the lead and we had kicked two or three cars down and we were backing up and we stopped. Just as we stopped, the sectionmen were working there, they had been laying rails all through the month of March and February, but as soon as we stopped a sectionman knelt down right in front of the engine. He was either putting a bolt, or it looked like a bolt -- I couldn't exactly say what it was, but he was down on his knees when we got the signal to go ahead.

Q Did you get the signal to go ahead?

A No, the engineer got the signal to go ahead.

Q Do you know where the engineer got the signal to go ahead from?

A Well, it was from the yardmen.

Q And where were they?

A They were back by the scale house where they were dropping the cars.

Q And which way were you looking and which way was the engineer looking?

A The engineer was looking behind and I was looking out watching this sectionman.

Q Yes?

A And as soon as he had the go-ahead signal, as soon as I heard him open the throttle and start to move I let

a holler out of me and said, "whoa".

Q Pardon?

A I yelled "whoa" because the sectionman was right down in front of the footboard on the engine. He was no more than a foot or two feet.

Q Away from the footboard?

A Away from the footboard.

Q You yelled "whoa", and what happened?

A We stopped. As I say, we had just started to move, he had just opened up the throttle.

Q So you stopped right there?

A And we stopped right there.

Q This experience that you have told the Commission about which happened on March 7, 1957, would that be something like things that have happened on other occasions or is it something entirely unique?

A Well, this is a little different. You do not often see anybody so close as this. I mean things like this are happening every day in the yard but not quite as close probably, but the sectionmen are working all along there either lifting rails or welding or they are running back and forth with rails and you are watching them all the time.

BY THE CHAIRMAN:

Q And they have to be watched?

A They have to be watched because they are working in front of you and they are working behind you.

MR. LEWIS: That is all.

BY MR. SINCLAIR:

Q Mr. Blackburn, do these section gangs in Ottawa not appoint one of their members as a watchman when they are working?

A Oh yes, they have a watchman.

Q What was he doing on this occasion?

A Now, I couldn't tell you about the watchman. I only -- it was just this one sectionman on my side.

Q And so when you said in answer to the Chairman that these sectionmen who move around yards or who are working in yards have to be watched you mean you watch them because they are there?

A You have got to watch them because they are moving around in front of you and stepping in front of you.

Q Are they not operating with their work controlled in so far as their movements by their own watchman?

A Oh yes, but you are pulling ahead and they don't know whether you are going to go all the way or just going to move a few feet and they are working there. They have got to move their equipment and everything and you have just got to watch them. Sometimes they figure you might not be coming up so far as you are.

Q Does the engineman tell you before he goes

ahead how far he is going?

A No, you cannot tell very well. It all depends on the brakemen or the yardmen, on their signal.

Q And before you move do you ring the bell?

A Yes, the bell is rung when you see sectionmen working there.

Q But every time before you make a move does he put on the bell?

A When there is anybody around, yes, when we know they are working around.

Q And that tells the watchman for the section people that you are then going to start? Correct?

A Yes.

BY THE CHAIRMAN:

Q A nod does not get down. Did you say yes?

A Yes.

THE CHAIRMAN: That is all, thank you, Mr. Blackburn.

MR. LEWIS: I think it is just about one minute to four o'clock. I do not know whether or not you intend to sit beyond four.

THE CHAIRMAN: Sometimes we do and sometimes we do not.

MR. LEWIS: If you will tell me what you wish to do today, I will govern myself accordingly.

THE CHAIRMAN: Well, I think we will adjourn.

--The Commission adjourned at 4 p.m. until 10 a.m., Thursday, March 16, 1957.

**ROYAL COMMISSION ON EMPLOYMENT OF FIREMEN
ON DIESEL LOCOMOTIVES IN FREIGHT AND YARD
SERVICE ON THE CANADIAN PACIFIC RAILWAY**

39

PROCEEDINGS

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ERRATA

Please make the following corrections
in the volumes and on the pages indicated

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<u>Page</u>	<u>Line</u>	<u>Now Reads</u>	<u>Should Read</u>
√ 4259	21	type of cars	type of engines
√ 4308	10	mileage 4	mileage 71.4
√ 4322	5	Cascade supervision	Cascade Subdivision

Volume 34

√ 4777	22	between Nelson and	between Elson and
√ 4779	8	for instrcutions on	for obstructions on
√ 4793	8	with a calibre man	with an average man

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ROYAL COMMISSION ON EMPLOYMENT OF
FIREMEN ON DIESEL LOCOMOTIVES IN
FREIGHT AND YARD SERVICE ON THE
CANADIAN PACIFIC RAILWAY

Proceedings of public
hearing held at Ottawa,
Ontario, Thursday,
May 16, 1957

PRESENT:

Hon. R. L. Kellock,	Chairman
Hon. C. C. Martineau,	Member
Hon. Jean Martineau,	Member
Douglas M. Fraser,	Secretary
A. R. Winship,	Asst. Secretary

APPEARANCES:

D. W. Mundell, Q.C.,	Representing the
C. J. A. Hughes, Q.C.,	Commission
I. D. Sinclair,	Representing the
Allan Findlay,	Canadian Pacific Railway Company
David Lewis,	Representing the Brotherhood of Locomotive Firemen and Enginemen

Thursday,
May 16, 1957.

39th DAY

MORNING SESSION

---The Commission opened at 10.00 a.m.

Elwood Sloan, sworn.

EXAMINED BY MR. LEWIS:

- A Mr. Sloan, you informed me that you joined the Canadian Pacific Railway, as far as you can remember, on May 31, 1947, as a shop labourer, and that in October of that year you were promoted to fireman; is that right?
- A Yes, sir.
- Q And on June 10, 1953, you were qualified as an engineer after having written the series of mechanical examinations in the A book?
- A Yes, sir.
- Q And having gone through the orals?
- A Yes.
- Q Since you have been qualified as engineer in June, 1953, you have had a few trips on the road, and one or two trips in the yard running an engine as engineer, but with those exceptions you have worked as a fireman in passenger, freight and yard service?
- A Yes, sir.
- Q Out of Ottawa, and that you are now employed and have been for some time as fireman in the Ottawa yards?
- A Yes, sir.
- Q Now, when the diesels came to Ottawa, Mr. Sloan, was anything done to qualify

you for diesel engines?

A I had a thousand-mile trip.

Q When would that be, roughly; do you remember?

A 1954.

Q Will you speak up a little, the acoustics are very bad in this room?

A In 1954.

Q Did anyone travel with you to instruct you or how did you receive your instructions?

A No, I received my instructions from other firemen on regular jobs.

Q The ones you were travelling with?

A Yes.

Q And those thousand miles of student trips, were they done on company time or on your own?

A On my own.

Q Did someone tell you to make them?

A Yes; I am required -- it was required to make them.

Q You were required to make them. Did you get any assistance from any published material at that time?

A Yes, I was forwarded the duties.

Q You were what?

A I was issued the duties by the company.

MR. LEWIS: Mr. Chairman, I should like to file, with a little explanation which I will make in a moment as Exhibit 200, a

four-page bulletin headed "Canadian Pacific Railway", the first sentence of which reads:

"Routine duties of fireman (helper) on General Motors FP-7 diesel-electric road freight locomotives before leaving shop track and periodical inspection during run."

EXHIBIT 200 -- Routine duties of firemen, General Motors FP-7 locomotives.

THE CHAIRMAN: Is there a date?

MR. LEWIS: This consists of four sheets and there is a note on the last sheet "Revised, December 12, 1949." As far as I can make out from looking at this, the last two sheets of this Exhibit 200 are the same as the first two sheets of Exhibit 129A, but the first two sheets of Exhibit 200 have not yet been before the Commission.

Perhaps I can explain this because I feel a little embarrassed about producing this at this late date. Some of the firemen had informed me that their memory was that they had received written instructions relating to General Motors road switchers as well as instructions relating to Alco car body type vehicles. None of them was able to lay his hands on the bulletin from among his papers. I have asked them to look for them and Mr. Sloan brought this to me this

morning just as I was going down to breakfast.

If my friend on advice questions the issuing of the first two sheets I have no doubt I can produce cooperative evidence to what Mr. Sloan is giving, but I do not imagine there is any question.

MR. SINCLAIR: No, except that my friend has made a slip of the tongue, I think. He said road switcher type, but the FP-7 is a car body type. I think Mr. Emerson did say in his evidence that there were some forms on diesels which are like the third sheet. I do not just recollect what he said, but the FP-7 diesel electric is a car body type, not a road switcher.

MR. LEWIS: I think it was mentioned several times that there were instructions only with regard to the Alco, and the purpose of this evidence is to show that instructions were also issued with regard to the General Motors type. Perhaps that is sufficient for formal identification since my friend admits they were issued.

BY MR. LEWIS:

Q These instructions which you say were issued to you in 1954 contain not only instructions relating to what you are to do as a fireman-helper before leaving the shop track, but also the checks you were to make in the engineroom during runs?

A Yes, sir.

Q Is that right?

A That is right.

Q And have you at any time since that date and before May of this year, that is before this month, been told by anybody, either in writing or orally, by any supervisory officer of the Canadian Pacific Railway that you were not to make any checks on road switchers during runs?

A Not to my knowledge.

THE CHAIRMAN: What is the number of that exhibit which was issued in 1956?

MR. LEWIS: It is Exhibit 7, either page 6 or page 10. If I remember correctly there was nothing in that exhibit prohibiting patrolling while in motion.

MR. SINCLAIR: It says that the helper is not required to inspect.

BY MR. LEWIS:

Q Do you recall seeing those instructions, Mr. Sloan, which were put out last October and which have been filed as Exhibit 7? I am looking at page 10, but it is the same thing as page 6 if I remember?

A Yes, I do.

Q In those instructions which were issued last October --

THE CHAIRMAN: Does the witness say

that he did see this?

MR. LEWIS: Yes.

THE CHAIRMAN: When issued?

MR. LEWIS: When issued, yes.

BY MR. LEWIS:

Q It says here:

"A helper is not required to patrol diesel units, except as directed by the engineman or as may be required for the operation of steam generators."

You remember seeing that?

A Yes, but that reads to me, not on road service or on road periodical checks in motion, but on the shop track.

Q That is what you thought?

A That is to me.

Q Have you been doing patrol checks since then?

A Yes.

Q You have been on diesel engines since then?

A Yes, sir.

Q Then these instructions, Mr. Sloan, also state:

"In the same way, when a unit has been checked by shop staffs, the helper is not required to perform mechanical checks, or to see that the unit is properly equipped and

"supplied with fuel, lubricating oil,
water or sand."

Do you recall what that says, or did you
read it as carefully as I have?

A I recall that.

Q Have you since October made mechanical
checks of a diesel on the shop track?

A Yes, I have.

Q And checked the supply of fuel oil and
lubricating oil?

A Yes, I have.

Q And water?

A Yes.

Q And sand?

A Yes; I don't see so much sand.

THE CHAIRMAN: What does the
witness say, that he read the middle sentence
of the last paragraph? How did he read that?

MR. LEWIS: I think he said it
meant on the shop track.

BY MR. LEWIS:

This middle sentence reads:

"A helper is not required to
patrol diesel units, except as
directed by the engineman or as
may be required for the operation
of steam generators."

A That is right.

Q How did you say you read that, as meaning?

A That means as on the shop track, not en
route.

Q Not en route?

A Yes.

MR. LEWIS: I cannot say that I associate myself with the witness in the reading of that.

BY MR. LEWIS:

Q You have done patrolling and checking since then?

A Yes.

Q You have seen, have you, the bulletin issued just this month, in the early days of this month?

THE CHAIRMAN: That is Exhibit number?

--

--

--

MR. LEWIS: That is what I am trying to find out.

MR. SINCLAIR: Exhibit 184, I think.

MR. LEWIS: Thank you very much.

HON. MR. McLAURIN: The date is May --

MR. LEWIS: Early May. I think Mr. Emerson filed that exhibit.

BY MR. LEWIS:

Q Have you seen this bulletin, Exhibit 184, which says that firemen are to go to enginerooms only when requested by engineman or when necessary to attend steam generator in use heating trains, that the opening of engine compartment doors on road switcher units in motion is prohibited and that passing between road switcher units in motion which are not equipped with walkways is prohibited?

A I recall reading that.

Q Just a little while ago?

A Yes.

Q THE CHAIRMAN: What effect has that had on patrol?

BY MR. LEWIS:

Q What effect has this bulletin had on your patrolling since the beginning of this month? Have you been on a train with diesel road switchers since the first of May?

A No, I have not, except in yard service.

Q Pardon?

A In yard service.

Q But not on the road?

A No.

Q When you were making this thousand miles of student trips were you provided with any operating manuals or did you obtain any?

A I obtained a book on steam generators. At the time I made the trial trips I didn't have any book like on steam generators. I received -- it was the F-7 manual.

Q The F-7 operating manual?

A Operating manual.

Q Where did you get that?

A From the locomotive foreman.

Q Speak up?

A From the locomotive foreman.

Q And you had that to assist you in learning?

A Yes.

Q Now, about your record with the company, Mr. Sloan, have you received demerit marks from time to time?

A Yes. My record has not been perfect.

Q And so far as you know have the demerit marks now been cleared up or do you still have some outstanding?

A So far as I know they are cleared up.

Q Now, when you go to work in the morning -- by the way, when does your shift begin now?

A Eight a.m. to 4 p.m.

Q And when you come to work in the morning what do you do?

A Go to the booking out room.

Q What do you do there?

A Check the watch with the standard clock, read the bulletins, anything that is necessary in the operation of an engine. Then I have I would say about three minutes walk to the engine.

Q Yes, and when you reach the engine what do you do?

A Well, make the necessary checks.

Q You were here yesterday when, if I may, to shorten this, Mr. Post gave his evidence?

A Yes sir.

Q And would your preparatory checks be similar to those Mr. Post described?

A The very same.

MR. SINCLAIR: That is quite a feat of memory.

MR. LEWIS: By whom, by me or by the witness?

MR. SINCLAIR: By both.

MR. LEWIS: I just did not want to be left out, Mr. Chairman. My friend can take him through the various steps.

THE CHAIRMAN: He is subject to cross-examination.

MR. LEWIS: Yes, certainly.

BY MR. LEWIS:

Q Have you had any experience of defects on engines as you were working on them in the last couple of years?

A Oh, yes.

Q Would you tell the Commission two or three that you can recall?

A I can recall one on a freight.

BY THE CHAIRMAN:

Q Road freight?

A Road freight.

Q What type of engine?

A 8400 Alco.

BY MR. LEWIS:

Q About when was that?

A June 6, 1955.

BY THE CHAIRMAN:

Q Was that a road switcher or a car body?

A A road switcher type.

BY MR. LEWIS:

Q Yes, Mr. Sloan -- by the way, how do you happen to know the date so exactly?

A I keep a copy of my trip tickets.

Q Pardon?

A I have a copy of my trip tickets.

Q What happened on June 6, 1955?

A As we lifted our train from Ottawa we proceeded to Ellwood by way of Hurdman on the M and O subdivision.

Q M and O -- what is that?

A Montreal and Ottawa.

Q Yes?

A To Montreal.

Q Yes?

A When we left the Ottawa yards the engine was working 100 per cent. We got going uphill to Ellwood which is all upgrade and the ground relay kicks out and we reset it after three times. We got over to Ellwood and by this time we were on the downhill and our engine coasted to Hurdman. We have been instructed by our supervisors to contact if any defects on the engine because we may want help. We did so by doing so -- by getting information over the phone.

Q From Ellwood?

A Hurdman.

Q Yes?

A We were not too customary to what was the trouble. We had to call the locomotive foreman.

Q Yes, and did the locomotive foreman come out?

A He did.

Q Do you remember his name?

A Thomas Hughes.

Q And he joined you on the engine?

A Yes, at Hurdman.

Q And he went along with you for the trip?

A To St. Luc, yes.

Q Did you have any more trouble after you left Hurdman?

A All the way except for the last 20 miles.

Q And was the trouble continued ground relays or what?

- A All the time until the trouble was corrected.
- Q And who reset these ground relays when the locomotive foreman was with you? Did he reset them or did you do so?
- A He did and I done it too.
- Q Now, can you think of any other incident?
- A Yes, I have had quite a few in passenger service.
- Q Can you remember one before Christmas last year?
- A Before Christmas?
- Q Yes?
- A Yes, I remember going to Chalk River on No. 9.
- Q Yes?
- A With a hot engine.
- Q Yes?
- A This was due to a cooling fan not operating properly.
- Q Was anything done about it?
- A No. As there was a short circuit in the wiring, when the vibration occurred like when the engine was travelling at high speed it shut the fan off.
- Q And nothing was done about it on the road?
- A Oh yes, we had alarm bells and we had a hot engine and I had to isolate the engine and cool it off in order to assist the other engine, the other unit, for to help the train over the

road.

Q It was a two unit --

A Two unit.

Q -- locomotive, was it?

A Yes, one was a car body type and the other was a road switcher.

BY THE CHAIRMAN:

Q Well, the effect of it was it took you longer to get to your destination? Is that it?

A No, we made our running time.

THE CHAIRMAN: I do not quite understand the point of this.

MR. LEWIS: Pardon?

THE CHAIRMAN: I do not quite understand the significance of this.

MR. LEWIS: Merely that the defects occur, Mr. Chairman.

BY MR. LEWIS:

Q Do you recall any incident involving low booster air in your experience?

A Yes, I do, on the same train.

Q On the same train?

A The same train, in fact, the same engine.

Q What was done, if anything, with regard to that, as briefly as you can?

A I wasn't too familiar at the time how to correct the defect but due to conversations with the rest of my employees such as engineers --

Q The rest of your fellow employees?

A Fellow employees. I was instructed in case you

should lose the power of the engine if you had any booster air at all you would double it and have half the engine by cutting out two traction motors.

Q And that was done in this case?

A No, it wasn't done as it wasn't needed. The load wasn't too heavy for the other unit.

Q Were the two traction motors cut out or were they not in this case?

A I don't recall whether I did or not.

Q You cut one unit out?

A One unit wasn't working, hadn't got enough booster air supplied.

Q So you travelled with the one unit?

A Yes.

Q Do you recall an incident which occurred on February 21 of this year in connection with something that happened on a run?

A Yes, I do.

Q What run were you on?

A 8.15, yard, Ottawa.

Q A yard job?

A Yard job, running to Hull.

Q What was the number of the engine?

A 7089.

Q And who was your engineer?

A W. Monaghan.

Q Who was the yard foreman on the crew, do you remember?

A James Wilkin.

Q What were you doing at the time?

A Well, after switching all day we made a movement to Hull East and on the return from Hull East to Hull West we were about to cross over Montcalm Street which is a very busy street.

Q What protection is there at that crossing?

A Protected by gates, and I may add this movement was under the new program, to be operated without a helper.

Q What do you mean, "under the new program"?

A I mean that brakemen are instructed not to assist -- like they are operating the move without the fireman or helper.

BY THE CHAIRMAN:

Q You mean that the signals are being given on the right-hand side?

A The right-hand side, as though there were no fireman.

BY MR. LEWIS:

Q Yes?

A The brakeman when coming west to turn the switch on the other side of the crossing proceeded to the front end of the engine by way of the door from the cab, got on the front end of the engine. As the sun was shining in the windows the engineer did not see that the gates were not operated for some reason I don't know.

Q Pardon?

A I don't know why they were not operated.

Q You mean they were not lowered as you were

approaching?

A No, they were not lowered. There was a bus at the time unloading passengers at this point.

Q Yes?

A And two trucks coming from the left side at I would say normal speed.

E.Sloan

Q Yes?

A The brakeman did not make any motion to stop the movement. I had to signal the engineer what was taking place. At this time the brakes were applied in emergency.

Q Yes, and were the gates lowered at any time during this operation?

A Not until after he was reminded.

Q Who was reminded?

A The tower man.

Q And you say the brakes were applied in emergency and the engine stopped, did it?

A That is right.

Q And did it stop very far from the crossing?

A Just far enough to prevent an accident.

Q And did the trucks cross the crossing or did they stop?

A They proceeded as normal.

Q Pardon?

A They never stopped.

Q And you say people were getting off the bus just by the crossing?

A Yes, that is right.

Q Did they stand at the bus stop or what did they do?

A I think I recall there were two passed over.

BY THE CHAIRMAN:

Q May I just pursue that? Was the engine leading this movement?

A Yes sir.

Q Was it backing up or going forward?

A Going forward.

Q What kind of engine was it?

A An Alco yard diesel.

Q And where was the train crew?

A They were normally situated on the train.
The front end brakeman was on the front and
the rear end brakeman on the back with the
conductor in the van.

Q Where was the front end brakeman in front?

A On the leading steps of the engine.

Q Right in front of the engine?

A Yes.

Q Could he see the crossing and the traffic?

A Oh yes.

BY MR. LEWIS:

Q You say he made no motion or gave no stop
signal?

A No.

Q When the gates were not down?

A No.

Q You had better speak up because your remarks
have to go in the record.

A No, he did not.

Q Do you remember an incident on February 23?

A Yes, I do.

Q That was a couple of days later than the one
we have talked about?

A Yes.

Q What engine were you on, do you remember?

E.Sloan

A If I recall it was engine No.7028.

Q Who was your engineer.

A W.Monaghan. There was the same crew.

No -- pardon me. There was a spare crew --
a spare train crew.

Q Let us take it step by step. Who was the
engineer?

A W. Monaghan.

Q That is the same engineer as the last time?

A That is right.

Q And then, who was the yard foreman or conductor?

A He goes by the last name of White. His first
name I do not know.

Q Do you remember the names of the other fellows
with him?

A I do not recall the names of the brakemen.
They were new men to me.

Q Is this a sort of six-day week that you worked
that week when you worked on Saturday?

A That is right.

Q And this train crew was a spare crew you had
with you?

A Yes, that is right.

Q And where were you going?

A We were going over the diamond leading to
Aylmer -- I should say the crossover leading
to Aylmer road to go along the track leading
to the shed to place shed cars.

Q Yes?

E.Sloan

A The front end brakeman lined the switch and stayed there.

Q Which way was the engine going?

A Forward.

Q With the nose --

A Forward.

Q Yes. You say the front end brakeman lined the switch -- for what?

A For the movement to proceed forward.

Q To the shed?

A No, to pull up in order to back over to the shed tracks.

Q And you say he lined the switch and stayed there?

A Yes, he stayed there. The engineer was looking backwards for signals when to stop.

Q Do you know where the other two members of the train crew were -- White and the other brakeman. Do you know where they were?

A I did not see them at the time as they were not on my side.

Q So after the switch was lined I suppose the engineer got his signal, did he?

A Yes.

Q What happened after that?

A Well, while pulling forward there was a boy on the side of the tracks with skis and as we got close to him he decided to cross over in front of the engine which was moving

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slowly forward as we were not far enough for the switch behind yet. The engineer was looking backward for signal and I informed him of this boy crossing who had skiis on his feet and he fell in front of the engine.

Q He slipped with the skiis?

A Well, you know how awkward skiis are.

Q Yes?

A Crossing over rails.

Q Yes?

A He fell. I do not know --

BY THE CHAIRMAN:

Q Was he on the street?

A No, he was on the company's property.

BY MR. LEWIS:

Q Was there a crossing there at that point?

A Yes, up farther on from this where it happened.

Q Pardon?

A Farther on up the track, yes, but not right where it happened.

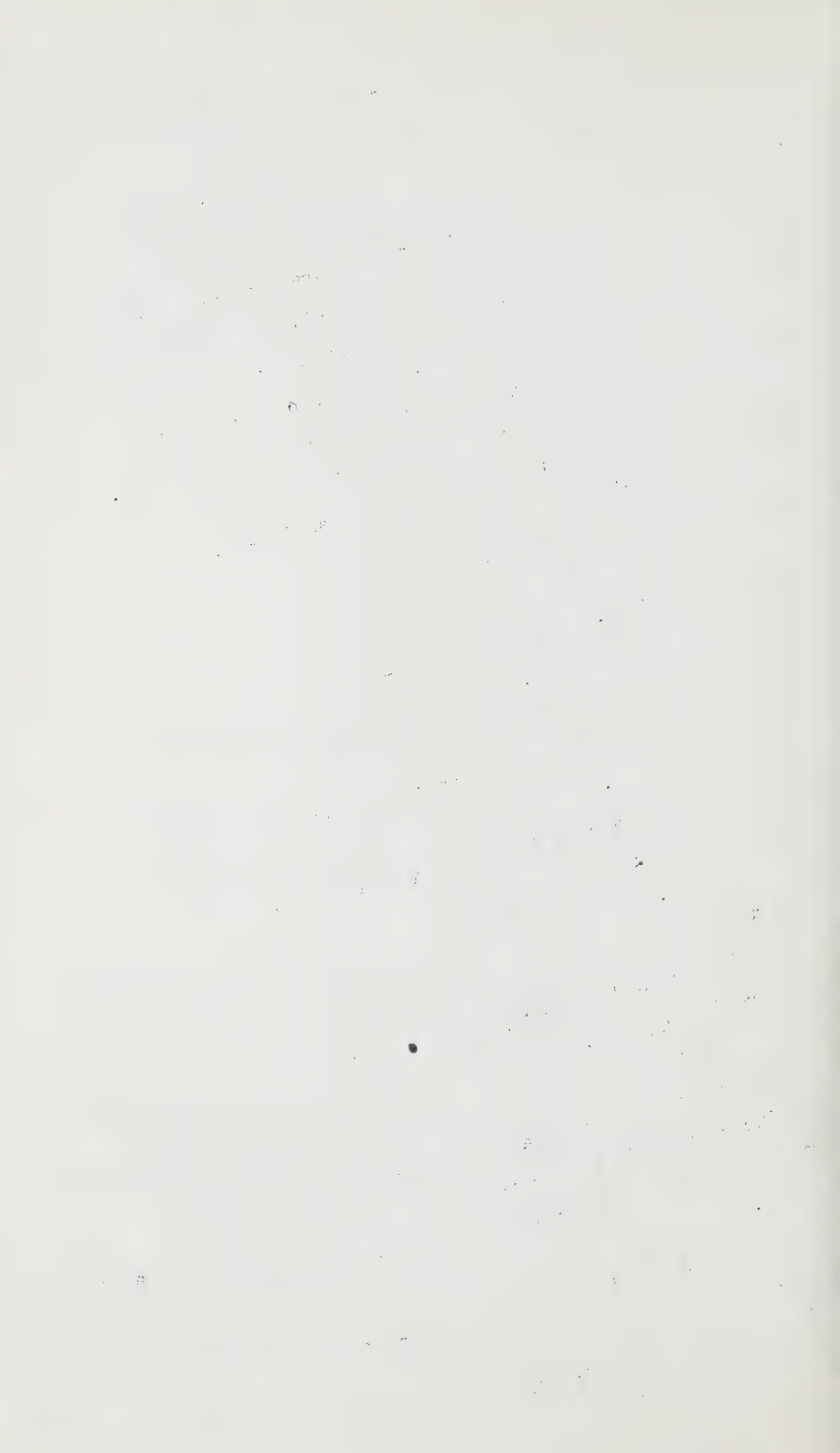
Q So he fell?

A I informed the engineer and he did not see the incident until he had to apply the brake in order for to stop before running over the boy.

Q And did he do so? Did he apply the brake?

A Yes sir.

Q And did the engine stop in time?



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A I would say about half a box car from where he was lying.

Q From where the boy was lying?

A Yes sir.

Q Now, do you recall --

BY THE CHAIRMAN:

Q Excuse me, but I wish to follow that up.
Where was the boy with relation to the head end brakeman?

A He was not in sight.

Q Who was not in sight.

A The head end brakeman was back relaying singals from his tail end man.

Q I thought you said there was some one ahead of the engine at the switch?

A He stayed at the switch.

Q Then he was in front of the engine?

A No, not when he stayed at the switch.
He was on the head end of the engine until he got to the switch lining^{it} for to take the crossover and as he turned the switch we pulled up in order to back over another --

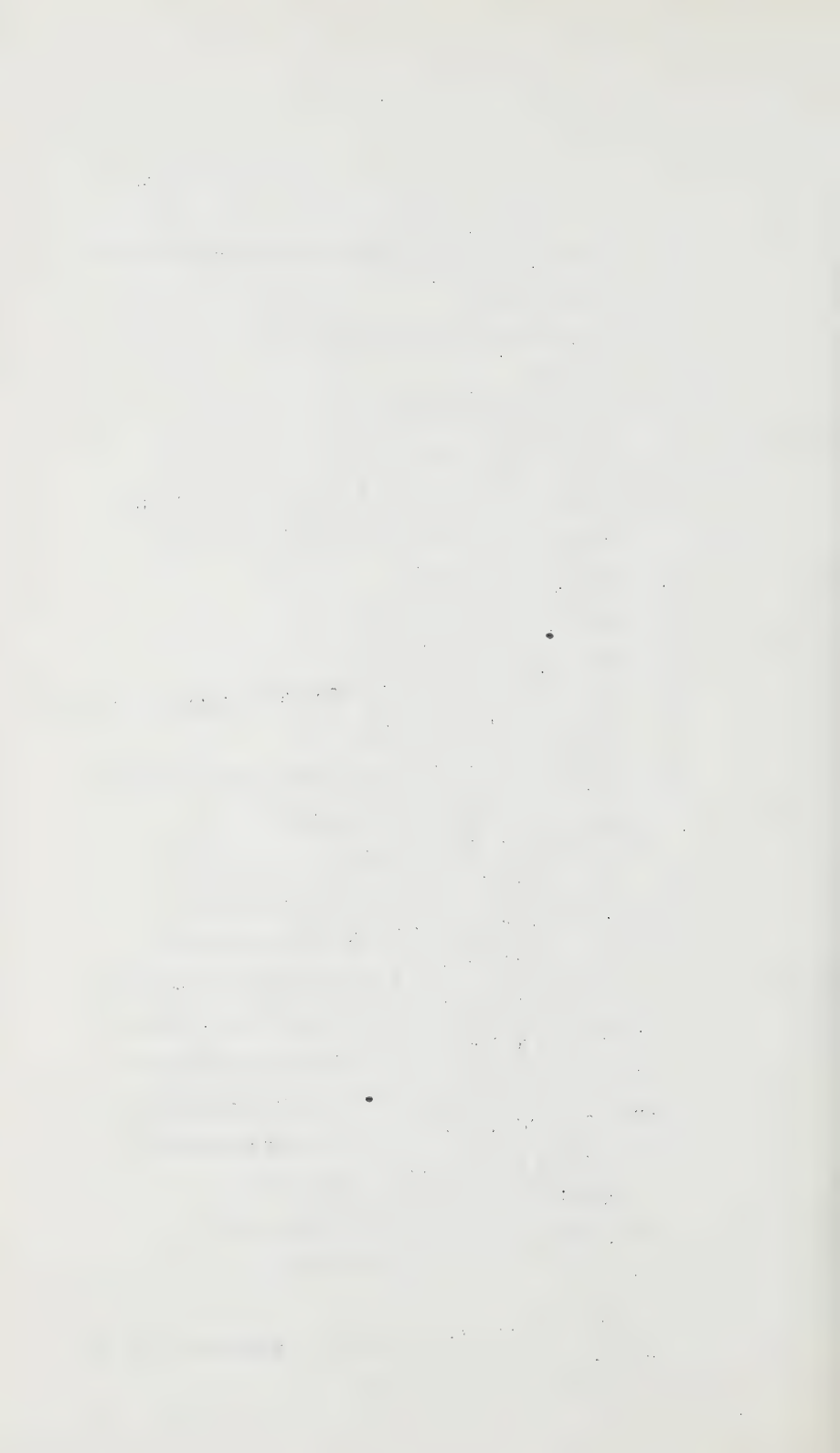
Q Just a minute. He got off and stayed at the switch and you passed him?

A He was on the opposite side to me.

Q Well, the engine passed him?

A Yes.

Q So there was no member of the train crew in front of the engine?



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A That is right.

Q All right, I understand now.

BY MR. LEWIS:

Q Then, Mr. Sloan, do you recall an incident which occurred on March 20, 1957?

A Yes, I do.

Q What engine were you on then?

A 8401.

Q Who was your engineer?

A W. Monaghan

Q And who was the yard foreman or conductor?

A James Wilkins.

Q Is that the same man?

A The regular crew on this job.

Q That is the same man you referred to in the incident on February 21, is that right?

It is the same name?

A That is right.

Q What was your movement when this incident occurred?

A Well, while switching at Hull West we got an order to return to Ottawa for stock cars.

Q Yes?

A Car loads of stock for Canada Packers.

Q Yes?

A As we did, in order to get the cars --
I should say the front end of the engine --
we went by way of crossover in the yard and

E.Sloan

the movement was on the fireman's side
as we went around the yard office.

Q Where was the train crew? Where was the
pin puller?

A The brakeman was on the front of the engine.

Q Pardon?

A The brakeman was on the front of the engine.

Q On the front steps?

A That is right, and he was also relaying signals
to the engineer direct.

Q He was on the engineer's side of the front of
the engine?

A That is right.

Q Yes?

A And he was giving a proceed signal which the
engineer insisted he go by.

Q Yes?

A And I --

BY THE CHAIRMAN:

Q What do you mean by that?

A Well, when he gets a direct signal from the
brakeman meaning that everything is lined
for his movement he was relying on the brakeman
to be right.

Q Well, the brakeman was on the front of the
engine giving the signal directly to the
engineer and the engineer would obey his
signals?

A That is right.

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BY MR. LEWIS:

Q You said the engineer "insisted" on obeying those signals?

A Yes.

Q Did you have occasion to say anything to the enginner?

A Yes, I told him the switch was wrong ahead.

Q Pardon?

A I told him the switch was wrong ahead -- it was not lined for this movement.

Q Well, did he stop or was he still proceeding?

A Well, he says, "I am getting a go ahead signal; it must be right." I says, "No, it isn't."

Q Yes?

A And at this time I had to apply the brake in emergency as this was a road switcher and it had an emergency brake valve.

Q In your part of the cab?

A On my side of the engine.

Q And you say you applied that emergency brake valve?

A Yes sir.

Q And did the engine stop?

A Oh yes sir.

Q It was a light engine, was it?

A Yes, a light engine.

Q There were no cars?

A The engine only.

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Q And the engine stopped?

A Yes.

Q Did any one go out to see or did any one inspect whether the switch was or was not lined for your movement?

A The head end brakeman noticed his wrong signal and turned the switch when the engine was stopped.

Q And then you proceeded?

A Yes sir.

BY THE CHAIRMAN:

Q Whose duty was it to see that that switch was properly lined?

A It was my duty to see to it.

Q I do not mean that. I mean, whose duty was it to turn the switch properly?

A The brakeman who was relaying the signal to the engineer.

Q That is to say he should have got off the engine and set the switch?

A That is right.

Q And if the engine had continued on in the position in which the switch actually was where would it have gone?

A It would have damaged the switch by putting it out of commission probably to the extent of putting the engine off the track.

Q Well, did the switch not lead into one track when it was set one way and lead into

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another track when it was set another way?

A The switch was not in position for to be set for this forward movement, like, to go into the track -- it was running against the switch.

THE CHAIRMAN: Oh?

BY HON. MR. MARTINEAU:

Q It was closed for you?

A Yes, it was closed for us.

BY MR. LEWIS:

Q I do not know whether you can explain it or not, Mr. Sloan, but would the engine merely have gone in a different direction on to another track, or was the switch so that the engine would have damaged the switch?

A No, we could have made our forward movement on the same track, but the damage to the switch, it would ^{be} forced to the position it was needed in.

THE CHAIRMAN: It is probably my lack of knowledge of railway mechanics, but I thought that an engine proceeding up a track, if the switch was in one position would result in the engine proceeding on to another track, and if the switch was in another position it would proceed on another track. I do not quite understand how that is not the result.

MR. LEWIS: I cannot quite explain it. I do know, and I have been told, that there are many situations where the engine would not go on to the other track, which I also assumed would be the case, but because of the way the switch is lined the engine would go right over it and either damage the switch or perhaps derail it. Just what causes that I am afraid I cannot undertake to explain.

THE CHAIRMAN: Perhaps Mr. Sinclair could clear it up.

MR. LEWIS: Perhaps he could.

BY MR. LEWIS:

- Q Could you explain -- I think I get the point now it has been drawn to my attention again. Is this ~~what~~ you mean? If you went forward like this, you would be all right, but if you came back this point would not be able to take you over into the track and you would just get into trouble?
- A No, this switch here --
- Q Do not say "the switch here", try to describe it.
- A The switch was coming this way.
- Q Which way?
- A The switch was lined this way.
- Q The switch would take you to the west?
- A Yes, and we were going here.
- Q And you were going south?
- A Yes, and this point was against the flange of the wheel. This point would have to be sprung over.
- Q The easterly point of the switch would have to be sprung over to the west track and it was against the east track?
- A That is right.
- Q Why would you not be able to go into the other track if you were coming down from north to south, is that because the line to go on to the other track did not go in a southerly direction, but it came up in a northerly direction; would that be the

reason?

A Yes, that is right.

Q And you can only get on to this side track --

A You can go on this track here.

Q You can only go on to this siding track, the other track coming out of this track, you can only go into it from the south?

A Yes.

Q But you could not go into it from the north?

A That is right.

Q I rather hesitate to do this, and if I am confusing it more I will not feel the least embarrassed if I am stopped. If you have a track going north and south and there is a track going off it towards the west, then you cannot go on to that track to the west both from the north and the south. You can get on to it from south to north, the normal curve into that track, so that if you are coming from the north at this track which is going west, you cannot get into that track. You would have to go into it from the south.

HON. MR. McLAURIN: Perhaps you will have another instance which could be more easily explained. Let us get our education in another instance and take this witness at his face value and say the switch is closed. That is all you want to achieve.

MR. LEWIS: It is very difficult

for a teacher to teach without knowing the subject.

BY MR. LEWIS:

Q Are those instances, Mr. Sloan, the one that occurred on February 21, when the gates across Montcalm Street were not lowered for some reason you do not know, the one that occurred on February 3rd of this year when this young fellow on skis fell across the track, the one that occurred on March 20th of this year, when the switch was not lined for you, were those instances that you told the Commission about unusual? Were February and March of this year unfortunate months or are they representative of your experience?

A No, they are things that happen every day. Some days they do not, but in most cases they do.

BY MR. SINCLAIR:

Q When did you first run a road switcher, Mr. Sloan?

A You say "run" a road switcher?

Q Yes?

A In yard service?

Q When?

A I did not keep any record.

Q Was it 1955, 1956?

A Yes, I could say I had a trip in 1955.

Q Before that, the diesels you were on were car body types?

A Not exactly, no.

Q Or yard switchers?

A I have been on them all.

Q Before that time, were there road switcher types in Ottawa?

A Oh, yes, this 8400 has been in Ottawa since diesels came.

Q Working in the yard?

A Working in the yard.

Q And on transfers?

A On transfers.

Q The road switchers that move freight trains, when did you get the first road switcher on a freight train?

A I do not recall when the first trip was.

Q Actually, you have had very little experience on diesels on freight trains of any kind, have you?

A I have had sufficient.

Q How many trips would you think you have had, ten?

A Oh, I would not say that. I had diesels on different occasions that I recall; I had them on the midnight freight to Smith Falls different times when they did not have steam engines.

Q It would not be very many times. Most of your diesel experience as a fireman has been on passenger trains, has it not?

A No, I would not say most of it; yes, but I have had sufficient experience on diesels in freight.

Q Would you like to say how many trips? Have you any idea? Would it be 100? Would it be 10?

A No, I cannot recall just how many. I would not say.

Q You thought when you were on a road switcher you were required to go out and patrol it when it was in motion, did you?

A As to the safety of the engine, yes.

Q When they were in motion you had to go out and open the doors and look at it, is that what you thought your duty was?

A If there were any safety devices to be re-set, as required by the engineer.

Q Oh, just as required by the engineer?

A No, I should not say by the engineer; it was my duty at that time.

Q What made you think that was your duty?

A They were outlined by the list of duties I got, issued by the company.

Q By this document, Exhibit 200?

A Yes.

Q That is what you are basing your answer on?

A That is right; similar to that.

Q What do you mean by "similar"? Was it the same as that? Why are you putting in the qualification?

A I have not been told otherwise, except lately.

BY THE CHAIRMAN:

Q The question is, when did you get instructions, if at all, to patrol road switchers other than car body types?

A I am referring to the duties as outlined in this.

Q Patrolling is what you are asked about?

A Well, such as setting the devices.

Q No, patrolling for any purpose? The question that you are asked, and we would like to know what your answer is because, Mr. Sloan, Exhibit 200 states, as I understand it, General Motors FP-7, diesel-electric road locomotives, are car body types?

A That is right.

Q Well, the question is, did you get instructions to patrol diesel freight locomotives of types not car body types?

A I cannot recall at the moment that I did.

Q Well, that is the question you are asked, and that is your answer.

BY MR. SINCLAIR:

Q You knew, did you not, Mr. Sloan, that all passed enginemen, before they could qualify on diesels, were given 1,000 miles. You knew that?

A Yes.

Q And you knew that before any firemen could operate on passenger diesels which were

first introduced through this territory, that they had to be instructed on the steam generator or else they were not called for these passenger trains; you knew that, did you not?

A Not only steam generators but protective devices also.

Q Who told you that?

A That is what I was informed.

Q By the firemen?

A By the foreman and the duties issued by the company.

Q You took only instruction from other firemen?

A I have inquired from travelling enginemen.

Q The Road Foreman of Engines?

A About any information that would lead to success in my operation.

Q You never were taken back into the engine room and given specific instructions on diesels by the Road Foreman of Engines; is that right?

A Not that I can recall, by the Road Foreman of Engines.

Q Or by a diesel maintainer?

A No, I have not had the opportunity. I have been on with diesel maintainers, but did not ask for any instructions.

Q Now then, your answer about defects on engines in the last couple of years, your answer, according to my note, was, "Oh, yes",

and then you gave a couple of examples. There was a poor ground relay connection that required Mr. Hughes to go into St. Luc; that was the first one. The second one was on a passenger train, No. 9, where you lost a unit, booster air pressure and also on that unit you had some engine trouble. Those are the two. Are those the only two you recall, and you recall the dates of those from looking at your trip reports, do you?

A No, I can recall another incident just recently.

- Q What kind of train was that?
- A Train No. 2, The Canadian.
- Q That is a passenger train?
- A That is right.
- Q What happened then?
- A The engine would not make transition.
- Q Who was the engineer, do you remember?
- Never mind his name, but was he competent?
- A Oh, yes, he was on the job regular, a good man.
- Q It would not make what kind of transition, backward transition?
- A No, transition going forward.
- Q It would not?
- A At 30 miles an hour, forward.
- Q It would not load?
- A No, it would not make transition.
- Q It would not make transition at all?
- A No.
- Q What did you do? What did the engine-man tell you to do? First, let me ask you that.
- A He told me -- we were making running time and if we could get in as it is, just don't bother with anything.

THE CHAIRMAN: I could not hear that.

MR. SINCLAIR: We were making running time and if we could continue to get in, don't bother with anything. I think that is what he said.

THE WITNESS: Yes, that is right.

BY THE CHAIRMAN:

Q So presumably you did nothing; is that what you mean?

A I can recall on the same engine --

Q No, on this occasion you did nothing?

A This was reported like on the form on the engine.

Q The MP-74.

BY MR. SINCLAIR:

Q But you did nothing?

A I did nothing to assist the engine in that way. At that time that was common and I can recall cases. This engine returned on Train No. 7 and had to be taken off at Ballantyne for the same defect.

Q All right. Is there another one that you recall? Give me some more of your experiences. I didn't mark them all down.

Q That is all you can remember now?

A That is some of the usual ones we had.

BY THE CHAIRMAN:

Q Were you the fireman on The Canadian on the occasion you just mentioned?

A Yes.

Q Have you been running on that train often?

A I was assigned to the pool service.

Q I asked you if you actually had run on that train very often?

A No, I have not been --

Q How often?

A I have not run on passenger trains.

Q How often have you been on The Canadian?

BY MR. SINCLAIR:

Q As a fireman, the Chairman means.

A I have been on quite numerous trips.

BY THE CHAIRMAN:

Q Well, how many?

A I was on the pool, I should say, six months.

Q That does not tell me anything. I am just asking how many times you can say you have been on The Canadian as a fireman?

A I could say about ten times, more than that.

Q All right, ten times, and has it been common, as you said a moment ago, to experience trouble with one or more units on that train in those ten trips, or more than ten trips?

A I wasn't really common, but I can --

Q You said it was common and I am asking you?

A Not only that train, it was common on other passenger trains.

Q I am talking about this one.

A That was common, yes.

Q You say on those ten or more trips it was common for you to experience that kind of experience on one or more units of that train?

A That is right.

Q What year was that?

A 1955 and 1956.

BY MR. SINCLAIR:

Q What six-month period was that, Mr. Sloan?

A I could not say. It was a six-month period; I was on passenger for six months.

Q You say you were in the pool and you would get The Canadian in your turn. If it was six months it would be more than ten trips in that time?

A Yes.

Q Much more?

A Much more; this includes westward.

Q This is westward?

A I didn't keep any contract.

Q What six months was it? Cannot you remember when you were running passenger in the passenger pool, when you were running as firemen in the passenger pool out of Ottawa? I suppose you bid in the job for the six-month period?

A Yes. I don't keep any contract; I don't mark all these things down.

Q What six-month period was it? Cannot

you remember when you were working in the pool?

A Could be from July to December.

Q Of last year?

A Of last year.

BY THE CHAIRMAN:

Q Do you recall where it was that this unit on The Canadian would not making transition?

A Yes.

Q Where was that?

A The front unit.

Q Where on the road?

A Vankleek Hill to Montreal.

BY MR. SINCLAIR:

Q That is the east end, not the west end.

A That is the east end.

BY THE CHAIRMAN:

Q You say that that was a common experience in your running on that train?

A Yes. I have had it in both directions.

Q I beg your pardon?

A I have had it happen in both directions.

Q On the first occasion that you told us about, what delay did that cause in the running of that train, do you recall?

A We were right on time at the time. We had sufficient power to handle the train with one unit at this time. The train wasn't too big.

Q I am asking you if it caused delay in

your schedule?

A No, no delay.

Q It made no difference?

A Only that we had one unit instead of two.

Q It made no difference in the running time?

A No.

Q These other common experiences that you had on that train, did they cause delay?

A Two I can recall, one on the west end where it caused five minutes' delay, Train No. 9, that was for the booster air.

Q Can you recall any other occasion that caused delay on that train?

A Yes. We have lost time for a hot engine with the same train, but when we had two engines working we made time up again.

Q The net result was there was no delay in the scheduled run?

A No, but there could have been.

BY MR. SINCLAIR:

Q Did you run on The Canadian when it was first put on, the first six months or so when it was running?

A No, I did not.

Q It used to have three units, did it not?

A Yes, sometimes.

Q They dropped one unit because of the reliability they had developed; they had

found it was not necessary. You knew that?

A Well, nobody told me why they took it off.

Q Why did you think they took it off?

A It was not necessary for so much power.

Q It was not necessary to make time, they could make time quite easily with the two units?

A That is to my knowledge, yes.

Q They have very reliable time performance on The Canadian between Ottawa and Montreal and Ottawa and Chalk River?

A There has been occasions I suppose when it has been late.

BY THE CHAIRMAN:

Q Another question. When you had these experiences with the engine failing to make transition or a hot engine were they always entered on the MP-74?

A Yes.

BY MR. SINCLAIR:

Q Let us go on to the Montcalm crossing incident you referred to. Was that reported to the Canadian Pacific Railway? Was it reported to your supervisor?

A No. We do not make it a practice to report every little thing we see.

Q You did not think that failure to put down crossing gates, as you said, is more

than a little thing?

A The conductor took care of that item.

Q He did report it to the company?

A He investigated why was the reason.

Q Are there two crossing gates, one on each side?

A One on each side, yes, sir.

Q Were they both left up?

A Both work at the same time.

Q Were they both left up, I asked you?

A Yes, sir.

Q And you said that the engineman could not see because the sun was shining in his eyes?

A To my knowledge, yes.

Q Did he tell you that?

A He gave me an indication of that.

Q That is what he indicated to you?

A Yes.

Q He did not say it, but he said something that made you think that; is that what you mean?

A Yes.

Q He got the signal to proceed from whom?

A Not to my knowledge; I cannot recall who he got it from.

Q Did he get it from the towerman?

A No.

MR. LEWIS: I cannot hear you,
Mr. Sloan.

MR. SINCLAIR: He said no.

BY MR. SINCLAIR:

- Q Did he give any signal to the towerman he was going to move?
- A Not that I can recall.
- Q Did anybody signal the towerman that he was going to move?
- A Not that I can recall.
- Q Did you start your bell ringing before you pulled away?
- A I imagine at the time it was ringing, yes.
- Q Do you know? Can you remember? You say you imagine.
- A We cannot always hear the bell working on those diesels unless we have our head through the window.
- Q You were stopped and then you were starting up?
- A No, we didn't stop at all. This was a forward movement on the main line.
- Q It was a transfer movement?
- A On a yard switcher, yes.
- Q A transfer?
- A Yes.
- Q A transfer movement?
- A Yes.
- Q And you were moving from Hull East to Hull West, is that right?
- A That is right.

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Q How far would that be?

A Oh, I put it one mile.

Q Where were the ground crew riding?

A As a regular main line movement.

Q Where was the ground crew riding on this occasion? Where was the head-end trainman or the engine follower?

A In the cab.

Q In the cab?

A Oh, yes.

Q On your side?

A Yes.

Q What did he do?

A He proceeded forward to the front to turn the switch in order to take the siding.

Q As you were coming to the Montcalm crossing he was riding in the cab on the left-hand side?

A For the biggest part of the movement, yes.

BY THE CHAIRMAN:

Q Please pay attention to the questions and answer them. You were asked as to a specific time. Will you please direct your attention to the question and answer it?

A He was riding in the cab to about I would say 200 feet from the crossing.

Q No. You were asked whether he was riding

in the cab at a specific time. Would you put the question again, Mr. Sinclair?

BY MR. SINCLAIR:

Q As you were approaching the Montcalm crossing was the head trainman riding in the cab?

A No, sir.

Q He had been riding in the cab previous to that?

A Yes, sir.

Q And somewhere along he got out of the cab?

A Yes, sir.

Q And he took the position on the front of the engine?

A Yes, sir.

Q On the engineer's side?

A On the fireman's side.

Q On the fireman's side?

A Yes, sir.

Q He was right ahead of you?

A Yes, sir.

Q You were looking right at him?

A Yes.

Q As you approached Montcalm crossing?

A Yes, sir.

BY THE CHAIRMAN:

Q The engineer could not see him there, I suppose?

A I don't doubt, sir.

Q I beg your pardon?

A No.

BY MR. SINCLAIR:

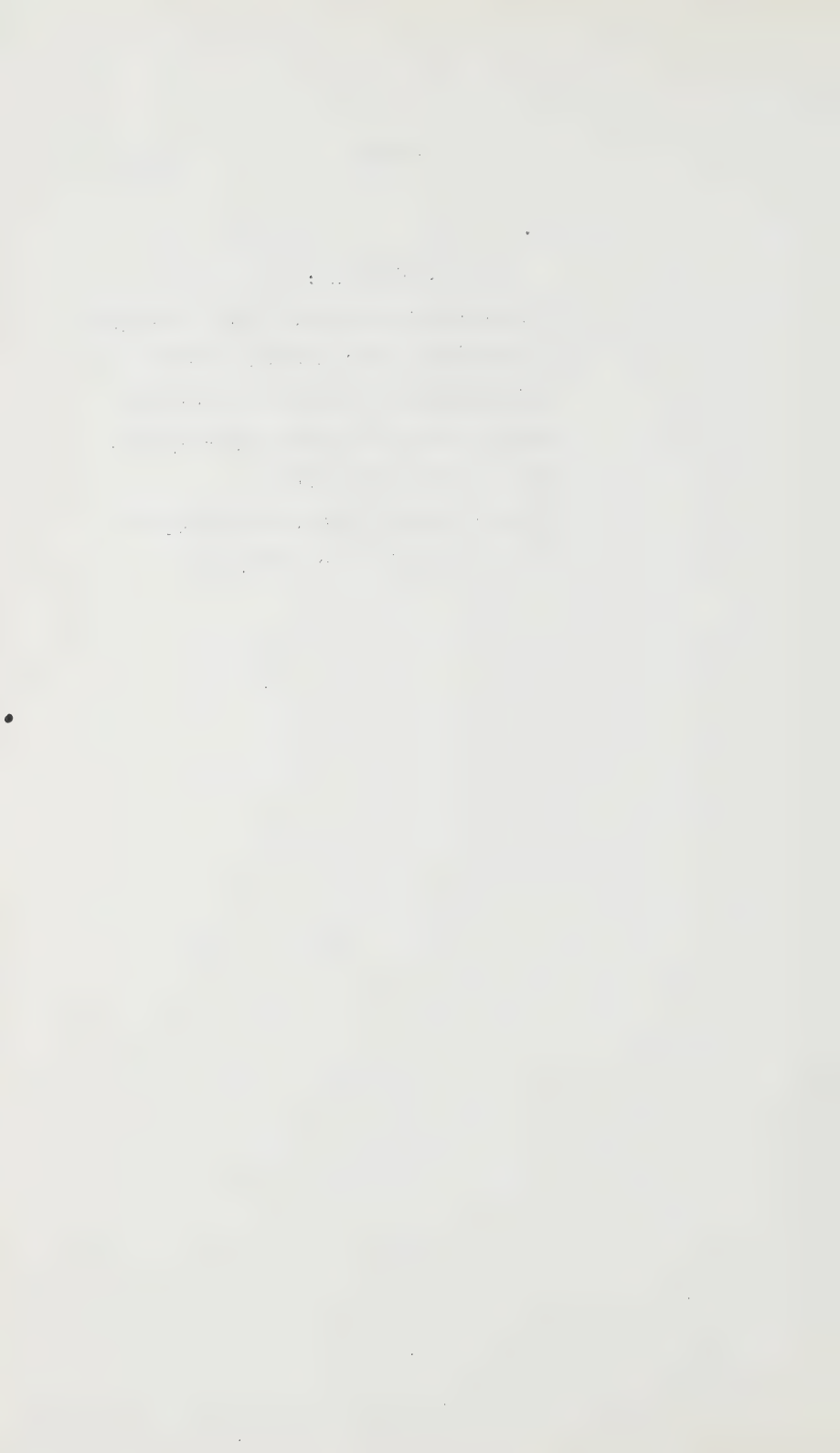
Q He stayed there and when these two people walked along as you suggest between the tracks he made no move to signal the engineer to stop; is that what you are saying to the Commission?

A He could have an idea the engineer was going to stop for the crossing.

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- Q I asked you, did he make no move whatsoever?
- A No.
- Q Did he not move back out of the way?
- A No.
- Q He just stood up there?
- A And watched.
- Q If he had hit a truck, what would have happened to him?
- A That is the \$64 question.
- Q What do you think would have happened to him?
- A Well, people come out of some awful things and nothing happens.
- Q But he was really in a position of great hazard if these trucks were coming across there and the engine did not stop?
- A Yes.
- Q Yet he took no action on his own behalf whatsoever?
- A Not to my knowledge; I couldn't see any.
- Q Did he not move over to the right-hand side?
- A He didn't have time.
- Q How fast were you going, Mr. Sloan?
- A I would say 10 miles an hour.
- Q And when did you call to the engineman that the gates were not down?
- A Just sufficient time to stop.
- Q How far were you from the crossing when you called?
- A Oh, I would say three cars.
- Q Three cars?

A Two cars.

Q Two carlengths?

A Yes.

Q And the trucks were going across at that time?

A Yes.

Q And the people were going across at that time?

A That is right.

Q And you saw the bus?

A That is right.

Q And the people going across and the trucks going across?

A That is right.

Q And you called to the engineer?

A That is right.

Q And he stopped before he got to the crossing?

A That is right.

Q And he was carrying how many cars?

A I would say 15 we had.

Q Fifteen?

A I didn't make any check.

Q Was the air hooked up on these cars?

A Yes.

BY THE CHAIRMAN:

Q May I ask this question? When this engine was moving forward you said that the engineer was looking to his rear?

A No, he was forward, a main line movement.

Q He was looking ahead?

A He was looking ahead.

Q Where was the engine going on that occasion?

- A From Hull East to Hull West, behind the station at Hull West.
- Q It was proceeding right through?
- A No, we had to stop to turn the switch.
- Q Well, was the switch before you got to the crossing or after you got over it?
- A After you get over the crossing, just after you get over the crossing.
- Q Therefore the engine was going to proceed right across that crossing?
- A Yes, that is the usual movement.
- Q What was the head end trainman doing on the left-hand side of the front end of the locomotive where the engineer could not see him?
- A That is usual. He was relying on the fireman, to my knowledge.
- Q Who was?
- A The brakeman.
- Q The brakeman?
- A The front end brakeman.
- Q Was relying on the fireman for what?
- A To protect the movement.
- Q I do not understand that. This was a yard engine? Is that right?
- A That is right.
- Q And when it is moving forward is it not the understanding that it proceeds on signals from the ground crew?
- A Not all the time. You may not have --
- Q Your understanding is not that the yard crew

is in charge of the yard engine and its motion?

A Yes, they are in charge of the engine.

Q Now, on that occasion who gave the engineer the signal to proceed, to go ahead?

A He had gotten it at Hull East.

Q Pardon?

A He had gotten it at Hull East. His usual move is to stop at the switch.

Q Go right across the crossing and stop at the switch?

A Yes, that is the usual move.

Q And you say it is usual for the head end brakeman to ride on the left-hand side rather than the right-hand side of the front of the engine?

A Not all the time, no.

Q Well, he cannot be any use at all if he rides on the left-hand side, can he?

A Not to the engineer without the helper.

Q Then, I would have thought his proper place was on the right-hand side where he can signal to the engineer if there is anything to signal for?

A Yes, I suppose if the sun was shining in his face at this time and he didn't see the boards I don't imagine he would see the brakeman.

Q I am just speaking about his proper place.

A His proper place, yes.

Q His proper place was on the right-hand side where the engineer could see him?

A Yes.

Q And if the engineer could not see him by reason of the sun shining in his face or anything else should he not have stopped?

A I would say yes.

BY MR. SINCLAIR:

Q You said Mr. Sloan, in an answer there that you thought the brakeman was relying on the fireman. Did you mean by that that the brakeman might have seen the gates up and was relying on you to tell the engineman?

A That could be his --

Q That could be?

A Yes.

Q Are you suggesting that the usual method is to go right across the crossing and then get the switch or is the usual move to stop clear of the crossing and then get the switch?

A The usual move is to stop clear, yes.

BY THE CHAIRMAN:

Q I understood quite the contrary from you, Mr. Sloan. I thought you said the normal thing was to go across the crossing and stop at the switch?

A If it is protected, yes.

Q Well, would it not be the normal situation that the crossing would be protected by the gates? I suppose there is a gateman?

A Yes.

Q And his job when he sees anything is to put

down the gates? Correct?

A That is right.

Q Then, what do you say the normal practice is, to go across the crossing to the switch or to stop before he gets to the crossing, because I am confused at the moment?

A If it is protected by the gates and seen to be clear it is normal to stop at the switch, go over the crossing.

Q And if the gates were not down, then I suppose really it is up to the engineer to stop without any signal at all?

A That is right.

BY MR. SINCLAIR:

Q Now, is it not the usual procedure, Mr. Sloan, for the engine to come up there, to stop clear of the crossing for the switchman to get the switch and then the gates are lowered and the train proceeds across?

A Well --

Q Where is the switch?

A Right at the tower.

Q Right at the tower?

A Yes.

Q On what side?

A The fireman's side.

Q On the fireman's side, and is it not the usual procedure for the train to come up there, to stop clear of the crossing, for the switchman to get off the cut and get the switch, for

the gates to be lowered and then for you to pull across? Is that not the usual way?

A It never has been done in that way.

Q Never has been?

A I shouldn't say "never", but any time I seen a train go over the crossing the gates were lowered and it was quite safe.

BY THE CHAIRMAN:

Q How close is the switch to the crossing?

A I would say 10 to 15 feet.

Q Well, if the engine went across the crossing and then the switchman got down to open the switch, would that not block the crossing for an unnecessary length of time?

A No, not to any overdue time.

BY MR. SINCLAIR:

Q On this specific occasion when you called to the engineman and he put the brakes into emergency, did you overrun the switch or did you still stop clear of the crossing?

A We didn't overrun the crossing.

Q You did not overrun the crossing?

A No.

Q With 15 cars?

A Just avoided an accident on the crossing.

Q You stopped clear of the crossing?

A Just clear.

Q Would you think you stopped your train in about 40 feet?

A Oh, much less than that.

Q Twenty feet?

A I could say that, yes.

Q You have got the matter right in mind now? You made a stop in 20 feet? Is this very clear in your mind at all, Mr. Sloan, or are you having difficulty remembering?

A No, no, I am not.

Q You are not having difficulty remembering the fact that you called out but are you having difficulty remembering just what the situation really was?

A No, I am not.

Q I am having difficulty understanding it, with all due respect, and it is likely my fault. Maybe we could have five minutes, Mr. Chairman.

THE CHAIRMAN: Very well.

--- Recess.

-- After recess.

BY MR. SINCLAIR:

Q Mr. Sloan, we were at the Montcalm crossing, you will recall that?

A Yes sir, that is right.

Q On this date which was specifically recalled by yourself to be February 21, 1957?

A Yes.

Q Is that right, or was it February 22nd?

A February 21.

Q And that is not the first time you have been on an engine that came across that crossing?

A No.

Q And if you have a heavy train, isn't the practice for the engine to slow down for the head trainman, when the gates go down, to run across the crossing, get the switch and then you go right in -- is that the way it is usually done?

A Not to my knowledge.

Q And if you have a light train you stop and the crossing is put down and he walks over, gets the switch and gives the engineman a signal to proceed. Is that not the way it is usually done?

A That is not the way it was done.

Q I asked you if that was the way it was

E.Sloan

usually done based on your experience?

A If the gates were down, yes.

Q If the gates were down the trainman would run ahead and get the switch. If they were not down the movement stops and he walks across and gets the switch and then the gates are lowered and the movement goes across the crossing?

A No, he generally walks across when the gates are down.

Q He walks across when the gates are down?

A Yes.

Q After the movement stops?

A Whether it has stopped or not.

Q Whether it was stopped or not?

A Yes.

Q But say, going at 10 miles an hour -- would he walk across the crossing and get the switch?

A I would not say ten miles an hour.

Q I thought that is what you did say, that you were doing ten miles an hour when you were -- what was it? -- a car length and a half or so from the crossing?

A I estimated it at that, yes.

Q If the emergency had not been applied on this occasion, wouldn't the engineman have run the switch? He could not have stopped without an emergency application if the

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switch had not been turned, could he?

A Oh yes.

Q He could have?

A Yes.

Q He would have about another 30 feet?

A Yes.

Q And you think that by a service application an engineer was going to stand that train on its nose that day?

A I do not say that.

Q When did you first tell Mr. Post about this incident, Mr.Sloan?

A I do not recall if I have been talking to him about it.

Q You never talked to him about it at all?

A Oh we might talk about little incidents here and there.

Q Did you talk to Mr. Post about this incident?

A I cannot recall.

Q You cannot recall talking to him about it?

A I do not know if it was the same one.

Q Let us be frank about this, Mr. Sloan, and remember you are on oath here. When did you first talk to Mr. Post about this incident?

A I did not make any note of it.

Q But you did talk to him about it?

A Numerous ones, yes.

Q About this incident, Mr. Sloan?

A I did not keep any track of it.

Q Did you talk to him about this incident?

A I could have.

Q You did, didn't you? You remember talking to him about it, don't you?

A I would not say yes and I would not say no. I did not keep track of it.

Q Some weeks ago he spoke to you about incidents didn't he?

A We generally talk to one another when we meet.

Q But did he not ask you to come here and give evidence?

A If I had any.

Q He asked you, and when was that?

A I do not recall.

Q Was it a month ago?

A Well, it could have been.

Q It might have been two months ago?

A It might have been.

Q Well, can't you remember? Is this the first time you have been in this court room?

A That is right.

Q And you did not speak to him until you came in here, is that what you are saying?

A Oh yes, we generally speak every time we meet.

Q And you told him about this incident and he recalled it to you when you were going to give evidence, is that right?

A That could have been.

Q Now, were you here yesterday?

A Yes I was.

E.Sloan

- Q I thought you said today was the first time you were in here?
- A It was the first time in here.
- Q Oh, you mean in the witness box?
- A Yes.
- Q Well, then, so that there will be no misunderstanding, Mr. Sloan, I will ask you now as I asked you before if this is the first time you have been in this court room?
- A I have been here numerous times.
- Q I thought so. So that your other answer is meaningless because you did not understand me when I put the question to you?
- A No, I did not.
- Q Now then, concerning this incident on February 23rd about which you gave evidence on oath which incident took place at the Aylmer road move -- do you remember that one?
- A Yes I do.
- Q It took place just two days after this?
- A Yes.
- Q When did you first tell Mr. Post about that one?
- A It could have been the same time as this one, I do not recall.
- Q And that is the time you said that the engineman was looking back?
- A For a signal to the rear, yes.
- Q How many cars did you have hold of when you were going into the shed?

E.Sloan

A I did not keep track but I can estimate,
I would say, around five.

Q Five cars?

A Yes.

Q Can you just place for the Commission where
the three ground crew were?

A I cannot place them other than that I know
they were not on my side.

Q They were not on your side?

A No.

Q You do not know where they were other than that?

A No.

Q You did not see them at all during these moves?

A No.

Q What side is the switch on, the crossover
switch?

A It was on my side.

Q You knew where somebody of the ground crew
was in respect to that switch, did you not?

A No, the cars were obstructing my view at
the rear.

Q The cars were obstructing your view at the
rear?

A That is right.

Q And you say that the engine follower got off
the engine, threw the crossover switch and
stayed there?

A That is right.

Q How did you know that?

A I presumed he stayed there.

E.Sloan

- Q Oh, you presumed he stayed there?
- A That is right.
- Q And then you say that the engineer was looking back?
- A Yes.
- Q And you were watching the engineman?
- A Yes, to quite an extent, we generally watch one another.
- Q And there were two more members of that ground crew?
- A Yes.
- Q And you did not have any idea where they were at all?
- A No, but they weren't on my side.
- Q And could the engine man see the man at the switch at that time?
- A Probably.
- Q He probably could?
- A Do you mean at the switch as ^{we} were pulling over?
- Q No, as you were going to make your back-up move. You were going to back into there, weren't you?
- A I presume he did.
- Q You presume he did?
- A Yes.
- Q You have been at this place many times, haven't you?
- A Yes.
- Q And you know what the lay out is?

A Oh yes.

Q I am asking you to help me understand it so the Commission can understand your evidence. You say that the engineman probably could see the man at the switch when you were in the location that you were in?

A I do not recall where the brakeman was. He was not on my side. The movement was not on my side.

Q I am asking you whether in the location, from your knowledge of it, stopped where **you were, could the engineman** see somebody at the crossover switch; that is clear, is it not?

A I do not know.

Q You do not know?

A No.

Q Now, was the second crossover switch in your line of vision?

A No.

Q You could not see the second crossover switch?

A No.

Q With five cars?

A No.

Q Looking back, where was the first thing you could see behind on the left side, where was the first thing you could see?

A The switch lined for the siding.

Q The switch lined for the siding?

A That is right.

Q Was there a man down there?

A I did not see any.

Q Who lined that switch?

A I do not know.

Q But you could see that switch lined?

A Yes, after the back-up.

Q But before you started to back up, could you see that switch lined?

- A No, I misunderstood; I could not see the switch before.
- Q What was the first thing you could see looking back on the left-hand side before you started your back-up movement; what was the first thing you could see?
- A Nothing to the movement of the train, no signals.
- Q No switches?
- A No.
- Q Nothing?
- A Not for the movement.
- Q And you were watching the engineman all the time?
- A A considerable amount of time, yes.
- Q Did he ever look forward or did he look back constantly?
- A Yes, he looked forward too.
- Q He was looking forward also?
- A On and off.
- Q Along came this boy on skis. He was ski-ing down the track, was he?
- A Beside the track.
- Q He was ski-ing beside the track, and did he have ski poles?
- A No, he didn't have ski poles.
- Q Then, all of a sudden he decided to cut across the track, I think you said?
- A That is right.
- Q And at that moment you say -- by the way,

how far ahead of the engine was he when he made his move to go across?

A How far ahead?

Q How far ahead of your engine?

A The boy was?

Q Yes?

A I would say about two cars.

Q Two cars?

A Yes.

Q Had he been going down the track for some time?

A The boy?

Q Yes? Alongside of the track?

A He was coming towards us alongside of the track.

Q He was coming towards you alongside the track?

A Yes.

Q So, he had been coming for some distance towards you?

A That is right.

Q When he was two car lengths ahead of you, he cut across?

A That is right.

Q And the engineman never saw him at any time?

A He did not say.

Q Did you ask him?

A No, I drew his attention.

Q It has been your experience, Mr. Sloan, when you are running on the road you draw the

attention of engineers to things and they say "Yes" or maybe some engineers say "Thank you"; you have had that happen?

A Yes.

Q That does not mean that they did not see it when they just say "Yes" or "Thank you", does it?

A It could mean both.

Q I asked you, it does not mean necessarily that they did not see it?

A In many cases yes, in many cases no.

Q For instance, you are not going to say that every time you have drawn the attention of an engineer to something, that that was necessary for the safety of the movement, are you?

A Oh, no, conditions would cover it.

Q I did not hear you? Please speak out.

A In certain conditions, it would look to this matter.

Q In certain conditions, what you are saying, what you are merely doing is saying what you see, even though he could see it too?

A Yes.

Q And that may have been the situation here, although you do not know?

A No, I know for sure.

Q How do you know for sure?

A Because he drew attention that the boy was out of his view.

Q Pardon me?

A To my knowledge, he told me the boy was not in his sight.

Q He said that to you?

A Yes.

Q Why didn't you tell me that before when I put the question to you?

A Well --

Q Are you being frank about these matters, Mr. Sloan?

A Yes, I am.

Q You are trying to be, are you?

A No, sir.

MR. SINCLAIR: Mr. Chairman, I am sorry, but you cannot cross-examine a man when he says no when I hope he means yes.

THE CHAIRMAN: Well, cross-examination is just a question of cross question and answer, not of comment.

BY MR. SINCLAIR:

Q Now, this incident on March 20, 1957, that is, when you took action by pulling the emergency cord, do you remember that one?

A Yes.

Q In other words, you took control away from the engineman?

A That is right.

Q Did you have any discussion with the engineman as a result of that?

A No, he figured I done right.

Q Did he tell you that?

A Well, he did not outrightly tell me, but he gave me that incline.

Q Just tell me what he said?

A He said the brakeman was wrong in giving him the signal.

Q Are you saying on that move you would have derailed if the engine had not stopped?

A Not definitely, no.

BY THE CHAIRMAN:

Q How far ahead of that engine was that switch, Mr. Sloan?

A When the engine stopped?

Q Yes?

A It was right -- the engine was right --

Q Very close to it?

A Yes.

Q And I think you said before that the head end trainman should have gone ahead and turned that switch himself?

A Yes.

Q Well, would the engineer have had that in mind? Wouldn't he have been watching to see that the trainman had actually gone ahead and turned the switch?

A Well, if he did not get the proper signal --

Q I do not quite understand that. I was just wondering, in that operation, the engine crew and yard crew are working together. The engineer would know what had

to be done and that the switch was ahead of him. Wouldn't he notice the trainman had not gone ahead and turned the switch? You say he might not know?

A He might not have.

Q As the engine was approaching that switch, how far away could the engineer see the switch as he was approaching?

A He could not see it at any time.

Q I see.

BY MR. SINCLAIR:

Q You gave Mr. Lewis your interpretation of this bulletin that said firemen are not required to patrol, and you thought that meant they were not required to patrol on the shop tracks; is that right?

A That is right.

THE CHAIRMAN: That is Exhibit 7?

MR. SINCLAIR: Yes.

BY MR. SINCLAIR:

Q Then, you also, in looking at Exhibit 184, said you had read that bulletin, that is the one that came out earlier this month, Mr. Sloan. You remember that one?

A Yes, I have read that.

Q Now, at the same time, would you think this bulletin had to do with movement over the road, the bulletin in Exhibit 184, do you think that had to do with shop track

practice or when you were moving over the road?

A No, shop track practice.

Q In answer to my friend you said you did the same preparatory checks as were stated by Mr. Post?

A That is right.

Q Did you do these preparatory checks on A units, which he outlined, car body types?

A Mostly, yes.

Q Mostly?

A Yes.

Q You would not do them all but you would do most of them, is that what you mean?

A If I ran out of time.

Q Pardon?

A If I ran out of preparatory time.

Q That would be the only reason you would not do them?

A That is right.

Q In other words, you would just keep going around as long as you had time, is that right?

A Yes.

Q Because you had time to apply?

A No, I did not put it that way. If I had work to be done, checking to be done for the safety of the engine operation, I would do it.

Q Do you think you are a better man to check a diesel engine than a mechanic?

A No, I do not.

BY MR. LEWIS:

Q Mr. Sloan, until you came into this court you said you had been here on numerous occasions, had you ever been in court before?

A No, I had not.

Q Have you ever given evidence in court before?

A No, I have not.

Q With regard to this incident on the Aylmer Road, where this boy on skis was, Mr. Sinclair asked you whether you could see the second crossover switch, do you remember? There was a first crossover switch, and then he asked you about a second crossover switch. There are two crossover switches, are there?

A Yes.

Q Is there any curve between the two switches on that track?

A Slightly, yes.

Q Did that curve have anything to do with your ability to see or not see those switches?

A Yes, it did.

Q You were on this curve, were you?

A Yes.

- Q Then the first incident which occurred on February 21, where the gates were not down, is it level grade going up to Montcalm Street, or is there a grade?
- A It is an upward grade to a certain extent.
- Q Pardon?
- A It is upward grade, yes.
- Q When you said that the movement was going at ten miles an hour, did you mean ten miles an hour going up this grade?
- A No, just at the time when he applied the brake.
- Q Did he apply the brake on this grade or before he got to the grade?
- A No, on the grade.
- Q And it was going at ten miles an hour at that time, do you think?
- A At the time he applied the brake.
- Q Mr. Sloan, you were asked about discussing these incidents with Mr. Post. Did you or did you not write up these incidents that you have told the Commission about in your own hand? Do you remember?
- A I kept a check.
- Q Did you write up the story of the incidents yourself on a piece of paper in your own hand?
- A On arriving home, yes.
- Q You wrote up the incidents?
- A Yes.

Q You wrote down what happened, is that right?

A That is right.

THE CHAIRMAN: There is no reason why he should not discuss them with Mr. Post.

MR. LEWIS: No, none at all.

BY MR. LEWIS:

Q You brought these pieces of paper to Mr. Post and to me, did you not?

A I did.

Q With the incidents written out on them?

A I did.

Q You are my witness but I have to ask you this: If you do not want to answer, do not answer. How much schooling have you had?

A Not sufficient.

MR. SINCLAIR: I can see that for myself, Mr. Sloan.

THE CHAIRMAN: I think we can all say that. When Mr. Lewis asked you if you had given evidence in court before I think he meant to indicate that it is much easier to ask questions than to be up here answering them.

MR. LEWIS: Thank you, Mr. Sloan. Mr. Chairman, my next witness will be Mr. John Bell.

JOHN BELL, Sworn

MR. LEWIS: Mr. Chairman, Mr. Bell has very recently suffered from a heart ailment, and with your permission I would ask that he be allowed to sit down.

THE WITNESS: It is perfectly o.k., I am fine. I will be o.k. here I think.

THE CHAIRMAN: If you would like a chair at any time just let us know.

BY MR. LEWIS:

Q Mr. Bell, you are now employed as Yard Foreman in the Toronto Terminals, is that right?

A That is right.

Q And you have told me you joined the Canadian Pacific Railway in 1922 as a yardman?

A Yes, I did, but then we had three or four layoffs and I was laid off again in 1924 and I did not go back --

Q Until when?

A I am on the seniority list right now as of October 5, I think, 1925.

Q You started in 1922 and then there were some layoffs and you were also off in 1924 and you got back on October 5, 1925?

A Yes, I think it was October 5.

Q Then I suppose you suffered some layoffs again during the thirties?

A Yes, slightly.

Q When were you made Yard Foreman?

A 1928.

Q And you told me you have been Yard Foreman ever since?

A Correct.

Q You are at the present time employed in what yard assignment?

A The assignment called the Leaside Transfer.

Q That is the transfer from the West Toronto yard to part of the Leaside yard?

A To the east end of the Leaside yard.

Q I think you told me you have been on this yard assignment for the last thirteen or fourteen months?

A Something like that.

Q What were your assignments before that?

A I was at the Canada Packers, what we call the abbatoir assignment.

Q In your experience as Yard Foreman and yardman I suppose you have worked a good many of the Toronto assignments?

A Practically all.

Q I understand there is a safety award or a safety recognition for yard people, is that right?

A That is right.

Q Do you know when they were first introduced?

A I believe, although I can be wrong, thirteen years ago. I lost my second, and I have

twelve safety awards.

Q You have twelve safety awards?

A I have twelve and I lost one, so I expect it was thirteen years ago that they were first started.

Q You are a member of the Brotherhood of Railroad Trainmen, is that right?

A Yes, I am that. Now that this has been brought up I would like it to be known very clearly that the Brotherhood of Railroad Trainmen have nothing to do with this. They are not involved in this in any way, shape or form.

Q You are here in your personal capacity?

A That is right.

Q But you are a member of the Brotherhood?

A I am a member of the Brotherhood of Railroad Trainmen.

Q Now, Mr. Bell, I think the Commission would be interested in hearing from you at the start a description of how you start your day and what you do with yourself, and the other two men of your crew?

A To begin with, sitting in here I have heard an awful lot about ladder tracks and I would ask the Commission if they prefer to have them called ladder tracks or our own phrase, lead tracks.

Q You can use your own words and if we do not understand them we will ask you what you mean.

Where do you and the other two, your two helpers, start your day's work?

A We start at the yard office at Lambton, that is on Runnymede Road.

Q The yard office at the Lambton yard?

A Yes, that is right.

Q What do you do in that office, what happens there?

A Well, there is a sheet up there of all the engines working, the assignments, they are working, and we get the engine number and where the engine is working. Sometimes it is in the spur, which is just east of Lambton Road, in a short spur that holds a couple of engines, or it might be up in the Here yard, which is an assembly yard. There are thirteen tracks in this Here yard, short tracks, but it is a yard by itself called the Here yard.

Q Is that close to the yard office?

A Just east of the yard office, that is the spur, and the Here yard is just west of the yard office. So that when it comes to start the head-end man will go out and get his engine at the Here yard or out of the spur, whichever it might be.

Q That is one of your crew, your head-end man?

A That is right.

Q He leaves the office and gets the engine?

A Yes.

Q Where does he take it usually?

A He takes it to the extreme west end of the Here yard where there is a crossover and crosses over and takes the engine over on to what we call the big lead. The big lead, that is the marshalling yard and assignment yard, is composed of Tracks Nos. 7 to 20.

He takes it over into that. As a general rule, he takes it into 19 and takes whatever cars are in 19.

Q He usually starts at Track 19?

A That is right.

Q While he is doing that, where are you and the other yardman?

A I am in the office getting my orders, getting my bills. I have bills and one thing and another for Leaside.

BY THE CHAIRMAN:

Q Those Tracks 7 to 20, do they number from north to south?

A East to west.

Q East to west?

A Yes sir.

Q Does not the main line run east and west there?

A That is right.

Q All the tracks run east and west?

A Those tracks all run parallel with the main line.

Q Yes, but in numbering them they would have

to number from north to south or from south to north?

A No, they number east to west.

Q All right, I will take that up later.

MR. LEWIS: There is nothing much in this part.

BY MR. LEWIS:

Q When you are getting your bills and so on in the yard office, where is the other yardman?

A The other yardman, he walks up into 19 and the cars we are going to take out over the crossover switch, marshalling and everything like that -- the cars are marked on the north side and we work on the engine side, on the engineer's side, which is the south side.

Q The train which left those cars on Track 19 came from where?

A From the east. That is, you switch the cars in there from the east, that is, the yard engine that is switching on this lead, marshalling these cars, switches them into 19 and in each case he is headed west and I am headed east.

Q Therefore, the markings when he switches in are on the north side?

A That is right.

Q Which would be the engineer's side when he did it?

A That is right.

Q But you want the markings so that you can work with the engineer when you are headed east?

A Right.

Q Is that right?

A That is correct.

THE CHAIRMAN: What are those markings you are speaking of?

BY MR. LEWIS:

Q What are those markings?

A Of course, there are industrial sidings, industrial plants there, and they mark the name of the plant, where they are going.

BY THE CHAIRMAN:

Q In white chalk?

A Yes, white chalk.

BY MR. LEWIS:

Q I am sure my friend will not mind my leading. You want the markings on the south side because it is your normal practice to work on the engineer's side?

A Right.

Q And that would be on the engineer's side?

A That is right.

Q Your second yardman, you say, has come down and he would then transfer the markings from the north to the south side?

A That is correct.

Q Then I suppose the first man who went out would be coupling up the cars to your engine?

A That is right.

Q What happens then?

A Well, after they get those cars marked up, as a general rule we have a van on the transfer and as a general rule the van is in one of the incoming tracks. The incoming yard is made up of assembly tracks from No. 1 to No. 6. You can get into No. 7 from either one way or the other.

Q Wherever we have used the term receiving yard would that be interpreted to mean incoming yard?

A That is right, you could term that the receiving yard. That is correct. So we pull down to the east end of the yard, that is the yard that we are coming out of, generally to the switch leading back into the receiving yard and back in on the van and go to Keel Street.

Q You pull out to go to Keel Street?

A Yes.

Q Which would be proceeding east?

A Proceeding east to go to Keel Street.

Q Now, around this yard that you are talking about where you pick up the cars, what we know as the receiving yard, is there much movement in those parts of the Lambton yard?

A Well, there is considerable movement, yes.

Q What time of day do you start?

A Ten o'clock, ten to 'six at night; nine o'clock, I guess; nine o'clock standard time, ten o'clock city time.

Q Is there or is there not a **need** to watch out for movements of trains and/or people around there?

A Well, when we back over into the receiving yard any movement that might be made is pretty much made on the fireman's side.

Q What do you mean, any movement that might be made?

A Any movement that might be made over on the other lead from the lead we have just come off.

Q By some other crew?

A Oh, yes, absolutely, by some other crew, but at the same time I have a man down there at the switch, that is, in advance of my engine.

Q He is able to see all that yard?

A He is able to see that, sure, he can see both sides of my engine and see that yard too.

J-3

Q Then you pull out to go to Keel Street?

A Yes, east to Keel Street.

Q Do you do anything at Keel Street?

A Yes. There is generally a few yards to go down there, troubles for the repair track that are placed on 19, marshalled into 19, and cars for the different

industrial sidings down there. There are engines at Keel Street, industrial engines at Keel Street.

Q You do not have anything to do with the switching there, you just place them?

A Then we switch the industrial siding cars out from the shop cars, as well call them, that is, the repair cars, cars for the repair shop.

Q Pardon me if I stop you there. Correct me if I am wrong, but I understand that all you do is to switch the cars out, these cars that are going to be distributed; that is all you do at Keel Street, you do not do any industrial switching yourself?

A No, that is right.

Q Go ahead then. When you have done that, do you also pick up cars at Keel Street?

A Yes, any North Toronto cars, any cars for North Toronto or Leaside we pick up.

Q Anything of interest in that yard to the Commission?

A No, I wouldn't say there was. The men are so placed that there is nothing of any interest there at all.

Q All signals are given to the engineer?

A That is right.

Q And you just couple on and keep on going east?

A That is right.

Q And then you go from Keele Street where?

A As a general rule our first stop is at Bathurst Street. Occasionally we stop at Symington, possibly put off a couple of cars or lift a couple of cars but that is not too often though.

Q On your way from Keele to Bathurst Street do you cross any public crossings?

A Osler Avenue is the first one, protected by gates; Symington Avenue, the second, protected by gates, and Bartlett Avenue protected by gates. That is three level crossings, all protected by gates.

Q As you travel from Keele Street to Bathurst Street where are your three men located?

A Well, one man and myself are in the van and the other man is up in the engine with the crew.

Q Up in the cab of the engine?

A That is right.

Q Then you get to Bathurst Street and what happens there?

A Well, as a general rule there is a considerable number of Leaside cars there so we reach in there and pull the track at Bathurst Street. That is the Bathurst Street service track. We pull that track, draw out the Leasides out on our van and the North Torontos in there, other cars we have got to carry on through to North Toronto and hand to the engine over there.

Q So you sort of complete your train for your transfer?

A That is right.

Q And you go on from there to Leaside?

A Yes.

Q Anything happen in this Bathurst Street switching?

A No, nothing there at all. We can still operate on the engineman's side, nothing there at all.

Q Now then, you get to Leaside? Right?

A That is right.

Q Just one moment, Mr. Bell.

MR. LEWIS: Mr. Chairman, my learned friend was good enough to provide me with maps of some parts of the yard that I requested from him. I have them here and I am quite happy to put them up on the board there, but I experimented with them in my room in the hotel, which is not very big, and I could not see a thing about 8 feet away from it because of the smallness of the scale. This will happen several times and I have taken the liberty and I hope and the person who has done

this hopes that it is accurate enough not to be misleading. If it is I apologize to the Commission. It will have been just an error and my friend can correct it. Just so that Mr. Bell's evidence can be followed, sir, we have made a map of the particular part of the yard which is of interest.

THE CHAIRMAN: The Leaside yard.

MR. LEWIS: Yes.

THE CHAIRMAN: Exhibit 201.

MR. LEWIS: The Leaside yards, east end. There will be a Leaside map later of a different part of it. I should really call it a sketch rather than a map because it perhaps is not formal enough to be a map, sir.

EXHIBIT NO. 201 -- Sketch of part of Leaside yard.

MR. LEWIS: If you have got a pencil with you, Mr. Bell, will you mark it 201 so you will know what we are referring to.

BY THE CHAIRMAN:

Q This is all east of the station at Leaside, is it?

A That is the east end of the east yard at Leaside plus the C. N. yard where we interchange cars at the east end. Where it is marked "C.N.R. yards", there is where we interchange cars.

Q But what I say is the sketch shows the layout and it is all east of the Leaside passenger station?

A Right.

BY MR. LEWIS:

Q Now, Mr. Bell, with that sketch before you would you indicate to the Commission where you come from with your engine and cars and along what track?

A Well now, as I know this yard it is east of the station. Therefore I come in on the eastbound main line.

Q Which is which line on this sketch?

A The one next to the shed track there, right next to the shed track.

Q The one which is called the shed track?

A Yes, that is right.

Q You come in from the left side of the sketch, do you?

A Let us see now. No, I come in on the right side of that sketch. I am going east. I come in on the right side, that is, I come in on the left side where it is shown "shed track" there but I come in on the right side of the track.

Q You start out from which side? Imagine your train coming onto this sketch. Which side does it come onto the sketch first when it first hits the sketch?

A On this side of the lead tracks there.

THE CHAIRMAN: The left side.

BY MR. LEWIS:

Q The left side, that is what I mean. You come

in from the left side of this sketch and onto the sketch on the left edge of it?

A Oh, pardon me.

Q Is that right?

A Yes. I thought you meant which end of the yard I came in from.

Q Now, you come in on the left. I put it left to right because north and south, as you will notice from the arrow, are a little askew.

THE CHAIRMAN: Well, you could pretty nearly call the top of the sketch north. If you were in the city that is what you would say, that you were looking north.

MR. LEWIS: Yes.

BY MR. LEWIS:

Q And you come in from the west, in other words, going east?

A Yes.

Q On this eastbound main line?

A Correct.

Q And how is your engine facing?

A Facing east.

Q Nose forward?

A East, yes.

Q And your cars, are they coupled to the cab end or to the nose end of the engine?

A To the cab end, sir.

Q You are pulling them?

A Yes.

Q Go ahead. You come in on the eastbound main

line and you go along?

A These signals -- by the way, before we go any further, these signals are all station operated.

Q And they are electrically controlled?

A That is right.

Q By the operator in the station?

A That is right.

Q Which signals are you referring to?

A Practically all the signals. All these main line switches in around there are all handled by the station, by the operator in the station.

Q Right.

A So we come down alongside of the yard there and cross over at that first cross-over you see over to the left-hand side between the east-bound and the westbound main line.

BY THE CHAIRMAN:

Q You cross over to the westbound main line?

A That is right.

BY MR. LEWIS:

Q And the switches there are all controlled by the operator?

A Correct, and we follow the westbound and we go down by the board down at your right hand. That is the board that gives us the switches into the Leaside yard.

Q That board is the little figure towards almost the extreme right hand of the sketch?

A That is right.

Q Above the westbound line?

A That is right.

BY THE CHAIRMAN:

Q Is it electrically operated too?

A It is electrically operated and that gives us the switches for to back into the Leaside yard which is this five or six tracks there as you see together.

BY MR. LEWIS:

Q Now, do you stop short of the board or do you pull past it?

A No, you pull by it.

Q You pull past it?

A You go by the board. You have got to go by the board before he can give you the switches and give you this board to go back in again.

Q And when you get the correct signal indication you start backing in?

A Yes.

Q You back in along the westbound main line, do you?

A Yes, up until you come to that track leading off the westbound into the Leaside yard there, as you see.

Q You are talking about the track just north of the westbound one, just above the westbound one?

A Yes.

Q Are the switches leading into that track also electrically controlled?

A No, they are hand thrown.

Q They have to be thrown by hand?

A They have to be thrown by hand.

THE CHAIRMAN: Is that the one with some marking on it that is indecipherable, "put sig.", or something?

MR. LEWIS: That is right.

THE CHAIRMAN: What does that stand for?

MR. LEWIS: It is "pot signal".

BY THE CHAIRMAN:

Q That is a hand operated signal?

A No, the pot signal is not hand. It is operated at the station. That is to give you the privilege of coming out of that yard out on the main line. Once you are back in the yard then you have got to get that signal to come out on the main line.

Q And that is electrically operated also?

A That is right.

Q What is the one that you said was manually operated?


A Well now, where these two curves are there, that is a manually operated one at your right-hand curve and the one leading up into the C.N. yard at your left-hand curve there is a hand-operated signal or a hand-operated switch and all switches west of that are all hand operated.

Q Very good. I wonder, Mr. Lewis, whether before we proceed further with that movement

we could make another one and come back at
2 o'clock.

MR. LEWIS: Right, sir.

--The Commission adjourned at 12.30 p.m. until 2 p.m.



To have one more

Thursday,
May 16, 1957

AFTERNOON SESSION

-- The Commission resumed at 2.00 p.m.

JOHN BELL, Recalled

MR. LEWIS: Mr. Chairman, we have put up the map on the standing easel which has been provided. This is a map of part of the yard and we thought it should be there just in case something relevant arises. The sketch Your Lordships have before you is a little piece in the east part of the yard, roughly from about here -- that is, about one-quarter of the way westward -- to a point beyond this curve of the C.N.R. tracks.

THE CHAIRMAN: Can you put your pencil at the station?

MR. LEWIS: Right here, sir, just a little bit east of the mid-point.

BY MR. LEWIS:

Q Now, Mr. Bell, you had, I think, got us to the point where you would start your switching, am I right?

A That is right.

Q You had backed into the westbound main track until you got to that lead which branches off up a little north of it and toward the yard where you do the switching, which is toward the left of the sketch?

A That is right.

Q Is that right?

A That is correct.

Mr. Bell

MR. MUNDELL: That is the track with the words "transfer track" written on it?

THE WITNESS: That is right.

MR. LEWIS: Yes, that is right.

BY MR. LEWIS:

Q How many cars do you as a rule bring with you to this yard?

A Oh, well now, that varies; it varies considerably, too. One time we may come over there with one car or two and maybe the next time with 15, 18 or maybe 20 cars. It varies at different times.

Q And when you reach your destination on this job do you merely switch out the cars that you bring with you or do you have any switching to do with cars that are already on the track here?

A No, the cars we take over with us -- we get a listing from the agent at Leaside station on those cars. Now, the cars that we have a hold of, some of them are for the C.N.R., some are for the Transfer to go into that Transfer, to hold. In other words, they are hold cars.

Q Yes?

A The consequences are that we go down there and as a general rule the general procedure in this switching is that we kick the van off. The van is kicked off into one of the sidings -- whatever siding we see our

John Bell

way clear to go into -- to kick it into -- if there is room and generally there is room for that. And if there happens to be any C.N.R. cars next to the van we generally let them go with the van and then pull the transfer -- get the C.N.R. cars out of the transfer -- and any cars that we might be bringing back into Lambton with us, in which case we always have one of these tracks open for our cars that we bring back in from Lambton.

Q Yes?

A And the C.N.R.'s are naturally thrown on the cars that are on the van because they are already C.N.R. cars. Well, that is the transfer.

Now, the transfer will hold 18 cars but business has been a little better than average and the consequences are that now they are using that No.6 track. That is the farthest track over. They are using that as a transfer track, too, so we have track No.6 to switch as well, in which case -- oh, you will get anywhere from -- what will I say -- that will vary too. It could be anywhere from three cars to maybe 20, or 22 or maybe 24 and maybe more. I will say from three to 20 cars in there. Some of them are for the C.N.R. Some of them -- after we have taken the C.N.'s out of transfer

we drop them back into the transfer and keep them together. The yard cars we throw into the yard track for to bring back in with us.

Q Now then, I suppose in making this move you have to do as you do in all switching, go forward and back in and so on, is that right?

A Yes, that is right. You have to go forward and back.

Q Would you describe one of those moves, please, Mr. Bell, in some detail?

A Well, we will take the transfer -- that is your first track. We might possibly pull around 14 or we might pull 16, or we might even pull the whole track -- there might be 18 cars. We might pull the whole track. We pull them down over the switch there, as shown on this sketch. That is the one on the righthand side of the yard, the closest one on the right. That is over the transfer switch.

Q Excuse me, but do you go east?

A That is right, east.

Q Along this lead and then on to the westbound track?

A On to the westbound main line, that is right.

Q The westbound main line?

A Yes.

Q And you go where?

A We pull down over that switch. That will give you the east track there, just where that

John Bell

number of tracks comes in there -- just right there at the end of that is the transfer switch.

Q Yes, and then what happens? Then the movement stops?

A Pardon?

Q What happens then? Does the movement stop when you reach that point?

A That is right and that switch is thrown and the fieldman has thrown the switches for wherever these cars are to go, whether they go to the C.N. or possibly back on to our own track to be brought back into Lambton and so on.

Q Since you have mentioned the fieldman perhaps we should clear up one point. You have pulled out from along the westbound main line and at that point where are you and the two yardmen stationed?

A Well, after --

Q Excuse me for a minute but let me finish my question so there will be no mistake. Where are they stationed -- or where were they stationed -- let us say, prior to the middle of March or up to about the middle or end of March?

A Well, after we pulled out of that transfer and kicked the first car off my fieldman -- that is the tail end man -- he has got to ride up and protect that car because they will run back on us. In this particular spot they

John Bell

will run back towards the east. They will run east, in other words. Therefore he rides up on that car and protects that car.

Q What do you mean he "protects" the car?

A Well, he will tie it down. We might say he puts the brake on and that holds that car there.

Q Yes?

A And he is up there for the next car that comes along whichever tracks we are switching -- he just crosses over from one car to the other and protects them from coming back on us.

Q Yes. Where is your other man?

A The general procedure has been to switch on the fireman's side. Now, I would say that was for a safety reason. And on top of that I have someone helping me there as well for the simple reason that if we switch on the righthand side, which is the side that the engineer is on, my man -- with 14 to 18 cars I would say -- my man has to be out anywhere from 30 to 50 yards out over the mainline tracks.

Q Down toward the bottom of the sketch, is that what you mean when you say "over"?

A Yes, that is right, just there on your first left curve there. Turn the sketch a little and just walk out there to your righthand side.

Q I will come back to that. You have one of your yardmen riding the cars to tie them down, as you people call it, after you have kicked it?

A Yes, protecting the cars; that is the idea.

Q From one car to another. Where did you used to have your other yardmen? What was he doing?

A Well now, the general procedure was that I was throwing the switches, giving the fireman the signal, and he was cutting the cars off.

Q You had one yardman riding the cars to protect them. You were at the switches going into these various tracks and throwing the switches and your other yardman was pulling the pins or cutting the cars off?

A All right -- pulling the pins.

Q And you did all that, you say, on the north side of these two main line tracks?

A The biggest part of it. When we shortened the cut down then we worked on the opposite side.

Q If your cut was shorter you worked on the opposite side?

A Where the engineer was back far enough that we could see him, yes, we worked on his side.

Q And why could you not see him earlier?
I do not think you made that clear.

John Bell

A Well, if you notice on the sketch the curve down there on the westbound main line -- he goes out of sight -- but that on the opposite side leaves the fireman in sight of us all the time. He could see us for approximately, I would say -- I might be wrong but I would say approximately -- 25 cars from that switch. I would say so but I do not say that I am correct there; but pretty close to it.

Q Now, you say that if you did not do it that way then your headman would have to walk out from 30 to 50 yards south of the main line tracks?

A Yes, that is right.

Q And then you said you did it by the fireman for safety reasons. Why did you say that?

A Well, for one reason, that a man has to be running over these tracks, to get over there to give the signals, and from a safety standpoint this piece of property as you will find lying all alongside these tracks, there is a level strip from where the switches are and you are moving on the level.

Q The switches all are on the fireman's side?

A Yes, that is right. The switches are all on the fireman's side.

Q Yes?

A That is correct.

John Bell

Q Go ahead, you said otherwise you have to do what -- run across the tracks?

A You have to be crossing back and forth behind the cars, crossing back and forth on the tracks and running over the tracks to cut the cars off -- that is when we are running on the level.

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Robertson

J. Bell

Q And, Mr. Bell, could you or could you not have the engineer receiving signals if you had a man on top of a car near the engine when the engineer is around the curve?

A Yes, sir.

Q The engineer could see him if you had him on top of the car?

A Yes, sir.

Q Why would you not do that, then?

A Well, for the simple reason that, after all, you want a little assistance from a man, do you not?

HON. MR. MARTINEAU: You want a little assistance from a man?

BY THE CHAIRMAN:

Q You are speaking of the fireman?

A No, this is my head end man. He pulls the pins.

BY MR. LEWIS:

Q Who wants a little assistance from a man?

A Well, I do.

Q If you have a man on top of the car, then what?

A Well, then I throw the switches and cut all the cars off myself.

Q Mr. Bell, the way you have described the move now, how long was it done, in your experience, how long was it done in that way?

A I would not like to name the years, but as

M-2

J. Bell

long as I can remember.

Q As long as you can remember?

A Yes.

Q I informed the Commission you had been ill,
and when were you ill?

A I took a heart attack on the 3rd day of
December.

Q Were you away from work?

A For three months.

Q December, January and February?

A Yes.

Q Did you come back to work in early March?

A Yes, sir.

Q Can you tell the Commission whether the way
you have described the move was the way in
which it was done last year before you fell
ill?

A The way I have described it, was it done
last year?

Q Yes?

A Yes, sir.

Q Was it done the way you described it when
you got back from being off work in the
middle of March?

A Well, up to a point. I believe my engineman
said to the head end man he would not take
relays from the fireman.

Q Who was your engineman?

A Mr. Mountstevens.

Q How long had he been your engineman on this

M-3

J. Bell

job?

A I do not know; he was on there when I went on this assignment.

Q I informed the Commission, with your approval, you had been on this assignment for thirteen or fourteen months?

A Yes, approximately that. I am not just certain the month that I went on there, but I would say it would be from twelve to fourteen months that I have been there.

Q Was Mr. Mountsteven your engineer during that time?

A That is right.

Q At page 1753 of Volume 14 of the transcript of the proceedings the following questions and answers were adduced through Mr. Sinclair from Mr. Mountsteven. Mr. Sinclair asked:

"Q. On the Leaside job that you are now on and on which you have been since 1955, what is the practice on that job as to giving the signals, Mr. Mountsteven?

A. Given to me directly.

Q. Is there any location when you switch on that switch where that would not pertain? Is there any location?

A. No.

Q. On the job where the signals would not be given in that way?

M-4

J. Bell

"A. No.

Q. None whatever? You are shaking your head. You have to answer.

A. No. There is no place on there that the switchman cannot give it to me, give the signal directly.

Q. What do they do?

A. They come out and give me the signal. They know where the spots are and where to get, and so forth, to do that."

Now, that was Mr. Mountsteven's evidence. Have you any comment to make as to that, Mr. Bell?

A When would this be, Mr. Lewis, please?

Q He gave his evidence on March 25.

A March 25, that is not during this hearing.

Q Yes.

A But not the one since we have been down here, like?

Q No.

A He is right there when he says we know where to get. We do know where to get, all right, where we can give him the signal, but we have got to get just about where I have already told you we have to get, as I say, approximately 30 to 50 yards out; either that or place a man on the car next to the engine.

M-5

J. Bell

Q Do you have any comment on Mr. Mountsteven's statement that I read to you? This question:

"On the Leaside job that you are now on and which you have been since 1955, what is the practice on that job as to giving the signals, Mr. Mountsteven?"

A. Given to me directly."

Was that the practice in your experience?

A Oh no, not just exactly that. I gave the practice up until he came back, as I say.

Q And up until that, the signals were given to the fireman?

A That is right.

THE CHAIRMAN: Did you go over what the present practice is?

MR. LEWIS: I was going to do that.

BY MR. LEWIS:

Q Has there been a change in that practice since around March 25?

A Well, I am not prepared to say what date it was. I am not prepared to say just what date it was at all, but my engineer told the head end man he was taking no more relayed signals from the fireman, so of course, we have no alternative only to give the signal to the engineer, that is all and --

Q But you --

A Pardon me.

Q Go ahead.

A This man has to get out there. It can be done.

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J. Bell

There is no use fooling anybody. This can be done. The consequence is this man is out there, the other man is up in the yard protecting cars, and this man there is doing the work himself.

Q You are doing it yourself?

A Yes.

Q Has Mr. Mountsteven been at work continuously since?

A No, he was only back with me, after I went back -- I would not say whether it was two or three days; it might have been four and it might only have been two, but it was somewhere around two or three days.

Q Since that time you have had another engineer with you?

A That is right.

Q What, therefore, has been the practice since Mr. Mountsteven left?

A Well, of course, there are no two ways about it, the practice is to take it the easy way and therefore we are throwing a lot of signals at the fireman when he gets out so far we cannot see him, then we throw a signal at the fireman.

Q You say, "when he gets out so far we cannot see him", you mean the engineer?

A Yes, that is right.

Q You still continue the practice of giving signals to the fireman?

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J. Bell

A Up until we get him back on the straight, and then we cross over and switch with the engineer, cross over the tracks and switch with the engineer.

Q Now, Mr. Bell, you have been a yard foreman since 1928, with various layoffs in the thirties, and do you have an opinion as to the safety of a man on top of a car?

A It has been common practice, I guess it has been common practice to ride the tops of cars ever since the existence of railroads, so far as that goes. I cannot see anything safe about it. I do it myself. I think every one of us fellows working in the yard, there is not a man can say he has not been on top of a car, but I cannot see where there is anything safe about it. If I can work on the ground and I can work my men on the ground, I am not going to put him up high on a car.

Q What hazards, in your experience, are there?

A Well, the hazard, in itself, is the slack of cars. You have got a man standing in the centre of a car, and he has a long ways to go if he is taken off balance; it is approximately 20 feet both ways, but it is very simple to be taken off balance by the slack in cars. It all depends on the speed they are going, and one thing and another. Take stock cars, there seems to be much more

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J. Bell

slack in stock cars than in box cars, and if you are on top of a box car experience will teach you to brace yourself whichever way the slack is going to go.

Q You said he would be about 20 feet from each end of the car?

A Around about a 40 foot car and you are in the centre of the car.

Q What would you say about a man standing only 5 or 6 feet away from the end of the car?

A Well, if I came on a man standing 5 or 6 feet away from the end of a car I would be like a lot more told me, and told me in no uncertain terms, to get into the centre of the car.

Q Why would you do that?

A For safety, in case you were thrown off balance or thrown off your feet. You have that distance to go both ways.

Q What would you say about a man standing 8 or 10 feet from the end of the car?

A He is getting in closer towards the centre. He may be a wee bit safer than what he would be 4 or 5 feet from the end. Personally, I do not think it is a safe practice, riding the top of a car.

Q Is there, Mr. Bell, any difference in the point of view of hazard, between the seasons of the year, between summer and winter?

A Oh, yes, absolutely. I would say in the

M-2

summer months you have a dry board, just the same as you have right there, to stand on. In the winter months, you have sleeting weather and then there is what you have on your running boards, you have ice. I have seen us go up on top of these cars and kick the ice back in a spot on the car to stand on. It makes it much more slippery from the icy condition. It makes the cars more slippery, and naturally makes it that much more hazardous.

Q Well, then, you complete the switching moves, you switch out the cars, and are you on Leaside all day long?

A No. We vary approximately an hour in time, maybe an hour and a half, getting over there at different times. Then, we switch those cars out, finish the work over there. We have a couple of private sidings over there. We have the George Carrothers Construction and Pilkington Glass Works that we switch earlier. There may be different sidings we may be told to go in and get cars. We are not over there all day. I would say we put about half a day over there.

Q Then, do you go elsewhere?

A We go back into Lambton again, pick up a car at North Toronto, a merchandise car at North Toronto that they load at the North Toronto shed, and go into the yard.

M-10

J. Bell

Q There is nothing of interest to the Commission in that part of the work, is there?

A I would say nothing.

Q We need not take time on that, Mr. Bell. You say you have been on this job for the past twelve to fourteen months. Where were you before that?

A Canada Packers.

Q Pardon?

A What we call the abattoir assignment.

Q Mr. Chairman, as Exhibit 202, I should like, with your permission, to file a sketch which is headed "Yard of Union Stock Yards Switcher, West Toronto".

EXHIBIT No. 202 -- Sketch of yard
at Union Stock
Yards.

N-1
Feather

J. Bell

BY MR. LEWIS:

Q No, Mr. Bell, looking at Exhibit 202, would you please give us your assistance in going through this move. The switching that we are concerned with is switching into the stock yards, that is the northeast corner of the sketch, right at the top right-hand corner.

A Are you referring to that curve there, Mr. Lewis?

Q Yes?

A That is not the stock yards, that is going in towards the abattoir. We call that curve -- that curve takes you back in, as you will see on the north part of the sketch or on the top part of the sketch, it goes away around there into the abattoir, into Canada Packers, Swifts and the rest of them in there.

BY THE CHAIRMAN:

Q The stock yards are south of St. Clair Avenue?

A That is right, the stock yards are south of St. Clair. If you notice just where that curve comes up in there, up into Ryding Avenue or Runnymede Park, your stock yards will be that heavy line east of that, to the right on your sheet. That heavy line going down there would be the stock yards lead.

Q We had better make sure that there is no

N-2

J. Bell

confusion. I think it is important that the Commission understand this map. The words "Stock Yards" at the top right-hand corner, is that an error?

A That should really be abbatoir.

Q In place of the words "Stock Yards" at the top, the word "Abattoir" should be inserted, is that what you are saying?

A That is right. Look here, here is the stock yards lead, right there.

Q We cannot carry on a private conversation, Mr. Bell. Where the words "Stock Yards" are on the top right-hand corner the word "Abattoir" should be, is that right?

A Yes. That would take you more into the abattoir than what would be the stock yards.

Q What direction do you come from to get to do that job, or would you come from to do that job?

A Well, now, as a general rule the engine for that job is either in the short spur east of Runnymede Road or in one of the tracks in the Here yard.

Q You come on to this sketch from the east or from the west?

A I come from the west, east, down on to this curve.

Q You come from the west going east?

A That is right.

BY THE CHAIRMAN:

N-3

J. Bell

Q On what is called the Backway Lead?

A That is right.

Q On the Backway Lead.

BY MR. LEWIS:

Q You are pulling the cars, are you?

A No, you shove the cars into the abattoir.

Q Pushing the cars?

A Yes.

Q They are attached to the nose of the engine, are they?

A The nose of the engine, right.

Q You are pushing the cars?

A That is right.

Q As you come along the Backway Lead?

A Yes, down to that curve.

Q Then you go up this curve that is marked "To Union Stock Yards" by mistake again; I suppose it should be "To the Abattoir", should it?

A Yes. You would have quite a time getting down to the Union Stock Yards there, Mr. Lewis. No, that leads in there, that is what we call the curve.

Q Where the words "To Union Stock Yards" appear, again we should substitute the word "Abattoir"?

A Well, it is the lead in there.

Q To the abattoir, it says "To"?

A Yes, that is right. That is the only way you can get in there, or at least that .

N-4

J. Bell

we can get in there. The Canadian National come in another way.

Q You push the cars along this Backway Lead and up this curve which we have now marked "To Abattoir" and switch them when you get to the top?

A That is right, in the abattoir.

Q Will you describe this move. I see you have Ryding Avenue, there is a crossing across Ryding Avenue?

A That is right.

Q Is that protected?

A With the regulation railway sign, yes.

Q What they call here the St. George's cross.

MR. SINCLAIR: St. Andrew's cross.

MR. LEWIS: The artist of this sketch has pointed out in defence of himself that the map from which he made this sketch had the words "To Union Stock Yards" along that curve, and that is why they are there.

THE CHAIRMAN: I knew there must be some explanation.

BY MR. LEWIS:

Q Then you have Ryding Avenue, and you say that that crossing has a St. Andrew's cross sign, the regular railway cross board?

A That is right.

Q Then do you go across St. Clair Avenue?

A We cross the laneway there first; there is a laneway in there.

N-5

J. Bell

Q You cross the laneway?

A This laneway, right.

Q Which is between Ryding Avenue and St. Clair?

A That is right, between Ryding and St. Clair.

Q Then you also cross St. Clair Avenue?

A That is right.

Q Is the St. Clair Avenue crossing protected?

A You have a cross there; you name it whatever you like.

Q The same cross board?

A Just a cross board, the regulation railway crossing sign.

Q Do those crossings lay any duty upon you and your crew?

A Our timetable distinctly says that Ryding Avenue and St. Clair Avenue must be hand flagged, manually flagged.

Q Must be flagged?

A That is right.

Q Will you describe your move and tell the Commission where your men are as you are going up this curve?

A Well, that depends on the weather conditions and the number of cars you take in there. We will say you have twelve or fourteen loads, fifteen loads in there at a time, and if it is in the winter time you pull back up this curve, go back up west, up towards the yard office again. You pull practically right out of the curve with fifteen cars. You have



N-6

J. Bell

to give them quite a run at it for the simple reason he has a pretty stiff curve there and an upgrade. In fact, with fifteen cars I have seen it go to St. Clair Avenue to give him another shot at it. The consequences are my fieldman goes to St. Clair Avenue and as a general rule I went to Ryding Avenue myself, and the other man --

Q For flagging purposes in both cases?

A For flagging purposes, yes sir. After all, you could not stop him there and flag because you would not start him again. Therefore you let him pull back, in which case in the winter you could see, well, you could see right up as far as he was. You could see the head-end man. The foliage is all off there. There is quite a bunch of trees in there and if the foliage is all off the trees you can see the man there, especially if he picks up a piece of white paper he could see you, your head-end man could see you and you could see him. You could see him and as he started away from there, in the winter, as you went over the crossing each man would catch the cars as he went over and go in with them.

Q To whom would the signals be given in that move in the winter time?

A In the winter time I am going to say your engineer got the signal.

Q As you went up the curve?

A That is right.

Q Then what happens in the summer time?

A Well, in the summer time, with the foliage on the trees here to the left-hand side of your curve, as it shows, there is quite a bunch of trees planted in there.

Q That is in the section marked "Runnymede Park", which is on both sides of the curve?

A It is west really of the track. There is foliage there on those trees and you cannot see very much. The consequences are that with six or eight cars, in order for a man to see that man at the Ryding Avenue crossing, when he goes around that curve, he would have to go back five or six cars in order to see that from the head end.

Q Come back from where?

A Come back on top of the cars, come back possibly five or six cars, walk back over the top of the cars.

Q Just to sum up, or summarize this, you would have your fieldman flagging at St. Clair; you would be flagging at Ryding Avenue and your other man would be on top of a car five or six cars back; is that it?

A No, he would go on the car, on the car next to the engine. That is where he would go up on the car, but he would back up as he started in there towards the end of the cut,

face the tail end of the cut, possibly five or six cars, until he could see the man at Ryding Avenue, see that the man was at Ryding Avenue protecting Ryding Avenue. He would continue to keep working back as long as the engine kept going around these trees, and as long as he could see.

Q To whom would the signal be given?

A In that particular spot he can see the fireman; he cannot see the engineman but he can see the fireman.

Q From the top of the car?

A That is right.

Q In your experience was it done any other way in the summer?

A To be honest with you I have never known of it to be done any other way and I have worked in there on that job. I was on the spare board and at nights, or not nights but the afternoons and days.

Q You said that in the winter you had to go back out on the Backway Lead to get a run?

A That is right.

Q A run up?

A That is correct.

Q I intended to make that clear before, Mr. Bell. Do you bring all your cars with you that are to be switched in the abattoir?

A Yes, you bring those cars with you, sure, everything that is in there you bring them out

with you.

Q Perhaps I have not made myself clear. When you come from the west going east do you bring all the cars with you or are there any cars in the curve waiting for you?

A Oh, yes, during the night -- if there is no one comes in there, but occasionally there is a man sent in there through the night with stock. If stock comes in there for delivery to Canada Packers or Swifts, then a man is sent in there and the consequences are if he goes in there, well then he brings them in with him.

Q If he does not do that, what happens?

A If he does not do that then they generally switch the cars into that curve at different times through the night and they are there for the man in the morning. You come along and get them.

Q So when you came you would couple on to those cars already in the curve?

A That is right. We might accidentally get maybe three or four or five or six or seven out of the Here yard to go down and tie on to these cars, whatever cars might be in, might have been moved in there through the night, and then pull back to give him a chance to take a run at it.

Q How would the signals be given to the engine as you were pulling back along the lead; you

really would be backing up?

- A Yes, that is right. Your man would be on that head end car and he would naturally give the engineman the signal to back up and he would also give him the signal to come ahead because he can see him on top of that car when he pulls back, but it is when he starts down around this curve that he goes out of his sight, and as I say that is the only way he gets anything. He can see him for three or four car lengths in there and then he is out of his sight when he is on the curve too much. If this man is on the first car he can see him.

BY THE CHAIRMAN:

- Q Can he see him anywhere on that car?
- A No, I would say -- I wouldn't like to vouch. It is a long time since I rode a car next the engine and I wouldn't like to vouch that the engineer could see a man half way back on the first car, that is when he hits that is when he hits that curve proper. He might see him a full length of the car. I am not saying you couldn't, but I have my doubts whether he would see him half way back on that car.

BY MR. LEWIS:

Q Now, Mr. Bell, in your years of experience in the Toronto terminals working on the various assignments, are the two examples of Leaside and the abattoir that you have described to the Commission the only two examples of signals being given through the fireman or are there from your experience any others?

A There might accidentally be the odd signal thrown to a fireman, yes. I don't think there is a man ever worked in that yard that didn't throw a fireman a signal, that didn't give a fireman a signal, but I cannot tell you any place in that yard that a man cannot give the engineer the signal. When I say that you give the engineer the signal, there are times when possibly you enter a lead and you can possibly get away with say 15, 17, 18 -- you have got a good idea how many cars the lead will hold -- it is straight away on the lead before he makes a turn at all and, of course, if the loads happen to be a little bit too heavy and you have to shove them around the curve a little bit he might go out of sight and a man will cross over to the other side and give the fireman a signal to back up, but other than that your engineman gets the signals.

Q There was a bulletin filed in evidence,

I think by Mr. Alver, during Mr. Alver's evidence, Exhibit 76, Mr. Bell. In fact, there were several bulletins, Exhibits 76, 77, 78 and 79, and the last one, Exhibit 79, was apparently put on while you were still away, February 21, 1957 so you may or may not have seen it, where Mr. Alver as superintendent drew attention in these bulletins, if I may summarize them, to the proper way of doing switching and indicated in the last one, Exhibit 79, that signals should be given to the engineer except at certain locations which are listed in the third paragraph.

MR. SINCLAIR: Which one are you reading from?

MR. LEWIS: Exhibit 79, Toronto Elevator Company, Terminal Warehouse Company, Victory Mills, Dominion Malting Company and Harris Glue Company.

BY MR. LEWIS:

Q I gather from what you have said, Mr. Bell, that your evidence to the Commission is that you do not know of any place where it is not possible so to position the men that they can give signals to the engineer? Is that what you said to the Commission?

A That is correct. There isn't any place that is impossible.

Q And your point in regard to what you

illustrated in the case of the Leaside switching job --

A It is possible.

Q By putting your man 30 or 50 yards away and the yard foreman having to do the work of lining the switches and cutting the cars?

A That is correct.

BY THE CHAIRMAN:

Q But on the abattoir job it is impossible in the summertime when the foliage is out?

A Well now, with those -- yes, it is pretty hard to see him at all because the man has got to go back in order to protect these crossings and give the man a chance shoving in there or the engineer a chance shoving in there. If he has got 14 or 15 loads you cannot stop him at these crossings and get down and flag the crossing and start him again because he won't go in there with 14 or 15 loads.

Q You said the signal had to be given to the fireman?

A Well, yes, that is right.

BY MR. LEWIS:

Q Mr. Bell, from your experience in the Toronto yards what is your opinion, if you have any, as to the usefulness or lack of usefulness of a fireman on a diesel engine in yard service?

A I am only an employee, Mr. Lewis, not an

employer, but I will give you my honest opinion of it. My honest opinion of it is that it is necessary for human lives --

MR. SINCLAIR: I cannot hear you.

THE WITNESS: Necessary for human lives.

MR. SINCLAIR: Speak up so I can get it down, please.

BY MR. LEWIS:

Q What is necessary for human lives?

A A fireman would be or a man on that left side.

Q Why do you think that?

A Well, for the simple reason that there is so much movement around there and a man can back into one of these tracks or back close to one of these leads that they are working on, both working there together, two leads together, and so much traffic and one thing or another around there. Surely to goodness they have got their eyes open to that.

MR. LEWIS: That is all. Thank you,
Mr. Bell.

BY MR. SINCLAIR:

Q Mr. Bell, in answer to the Chairman you said that at this abattoir switching job over St. Clair and Ryding Avenues it would be impossible in the summertime to give the signals direct to the engineman. Is that your evidence?

A No, it is not my evidence. I didn't say it was impossible to give the signals to the

engineer or that the fireman had to be given the signal going over those two crossings.

Q I did not hear your answer. Speak up, would you, please, Mr. Morse?

A My name is Bell.

Q Oh, Mr. Morse is another man.

A In order to go over these two crossings I didn't say that the man had to give the fireman the signal going over these two crossings. I said coming in on the curve.

Q Coming in on the curve in the summertime is it impossible to give the signals direct to the enginemen?

A I would say yes and a man being in a position that he could see the man at Ryding Avenue protecting Ryding Avenue, and having to come back on the cars.

Q And the reason why you say it is impossible to give signals direct to the engineman is because of the foliage?

A That is right. He cannot see the man on the crossing with the foliage.

Q Did you know that through an arrangement between the roadmaster and the parks authorities that foliage can be trimmed to give whatever sight lines are necessary at the request of the roadmaster? Did you know that?

A No sir, I didn't know anything at all about the agreement between the roadmaster --

Q Have you ever seen this foliage being trimmed there to give better sight lines?

A I have heard requests to have the foliage cut but I cannot say I ever saw it cut.

Q And if it was cut there would be no difficulty at all?

A Well, yes, I wouldn't say unless the trees were out of there, to be honest about it.

Q Right out?

A Yes, I wouldn't say. Then the man could see right across that curve.

Q How many cars have you got hold of to make it impossible for the signals to be relayed directly to the engineman on that curve?

A Well now, I would say four cars would take him out of his sight.

Q Anything over four cars?

A Anything over four cars, four cars and over.

Q Have you tried this, Mr. Bell?

A Well, I worked that job in there.

Q When was the last time you were up there?

A Oh well, I was up there just before I came on this job here and I think it is around about 12 or 14 months.

Q Twelve or fourteen months ago?

A Around that place, I think. I am not giving you that as a specified date.

Q And you have ridden the car behind the engineman there?

A I think I told the Commission that I had not

ridden the car next the engine for years.

Q You had one of your men ride the car behind the engine?

A Oh, I have had a man riding the car there.

Q And he told you he went out of the sight of the engineman?

A He did go out of the sight of the engineman. I know that.

Q How would you know that?

A For the simple reason all he had to do was walk back four or five cars and the engineman couldn't see him on the curve.

Q You know that from doing it yourself?

A Absolutely.

Q And you say that the only way the engineman could do it would be to have the trees cut out of there?

A I didn't say that the engineman could see if the trees were cut out of there, but the man can stand on the first car and see Ryding Avenue.

Q Oh, the reason he has to walk back and gets out of view of the engineman is he has to see his mate at Ryding Avenue? Is that it?

A He walks back to make sure that crossing is protected and then walks back toward the engine.

Q Oh, I see. So that it is because he has to go back to see his mate at Ryding Avenue that he gets out of the view of the engineman?

A That is right. He walks back there.

Q In the summertime?

A So as to see that the man is on the crossing.

Q And you say that under the timetable instructions this crossing cannot be flagged by a man riding the leading point of the movement?

A I didn't say that at all.

Q I thought you said that one man would go up onto Ryding Avenue and the other man would go up to St. Clair Avenue?

A That is correct. That is what I did say.

THE CHAIRMAN: What Mr. Bell said, as I recall it, was that according to the timetable these two crossings had to be manually flagged.

THE WITNESS: Thank you. That is right.

BY MR. SINCLAIR:

Q I am asking him whether that is met by a man riding the leading car?

A That is right. That could be done if you didn't have too heavy a load.

Q Well, what is too heavy a load?

A Well, 12 or 14 carloads is all the engine wants to put in there.

Q What you are saying is if you have 14 cars or less the man could ride the leading point?

A Yes, he could ride the leading point, certainly.

Q And could flag it?

A He could ride the leading point but that

isn't to say he would put these cars over that crossing after you got off. You would have to stop him to flag that crossing, wouldn't you?

Q I am asking you if you could ride the leading point up to that crossing if you have under 14 cars? Is that what you are saying, that it is only when you get more than 14 cars that you have to --

A Not necessarily. I would say you would have to go back with a lot less cars than that. Take five or six cars, yes, you will shove up there with them, stop and flag the crossing and move over your crossing, but when you get up around 10, 12, 14 cars then he has got to be moving and you cannot stop him. He has got to be moving to put the cars in.

Q Then we have it that with under 10 cars you could do it?

A I am going to say five or six cars and you could go in there and stop and flag those crossings.

Q Then you do not have to use the fireman as a signal passer?

A No.

Q You can give all your signals direct to the engineman?

A That is right. A man would be on the top of the car, on the car next the engine.

John Bell

- Q Now, on this Leaside job -- by the way, before I leave Exhibit 202, if the foliage was taken out on that curve there on exhibit 202 -- to the left of the curve -- if the foliage was taken out there then you could go in there with 14 cars or whatever?
- A Yes, and you could see Ryding Avenue, if all that foliage was taken out.
- Q And relay your signals directly?
- A Yes.
- Q But as long as the foliage is there, your judgment is that you have to cut to about six cars?
- A As long as the foliage is there he cannot see Ryding Avenue.
- Q Unless you cut your move to six cars and stop at the crossing?
- A And stop at the crossing.
- Q That is right?
- A Yes; that is with a man up on the tail end and a man on the head end.
- Q And how are they switching there today? Have you been over there and made an observation lately as to how they are switching there at the present time?
- A Switching where, sir?
- Q At the spur shown on Exhibit 202?
- A No, I have not been in there since I came out of there.

Q That is for about 12 months -- 12 or 14 months ago?

A Yes, approximately around there some place; whenever I came out of there.

MR. LEWIS: I did not hear what the witness said.

MR. SINCLAIR: He has not been there for 12 or 14 months.

MR. LEWIS: Since he finished working there?

MR. SINCLAIR: That is what he said.

I am going to be a few minutes more, Mr. Chairman, and perhaps Mr. Bell would like a rest.

THE CHAIRMAN: All right, we will have a short recess.

-- The Commission took recess.

-- After Recess.

BY MR. SINCLAIR:

Q Mr. Bell, you put safety above all other things in the doing of your job, do you?

A Well I try very hard to put safety there -- to bring safety into it, at any rate.

Q That is your first consideration in the performance of your duties?

A I said that I brought safety into it -- I try and bring safety into it -- at all times.

Q And that is your first consideration in doing

John Bell

the job?

A That is not necessarily my first consideration in doing the job but I try to bring safety into it.

Q If you could take two cuts and do the job more safely rather than taking one cut, would you always take two cuts?

A Well, not necessarily, no, for the simple reason that you can take one cut and be safe -- just as safe with it -- as you can be with two cuts, as far as that goes.

Q But what I am suggesting to you is that it would make it a safer move to take two cuts rather than to take one cut?

A Well --

Q And if that situation pertained would you always take two cuts? You are the yard foreman.

A Not necessarily.

Q And in that case --

A It could be performed safely with one cut.

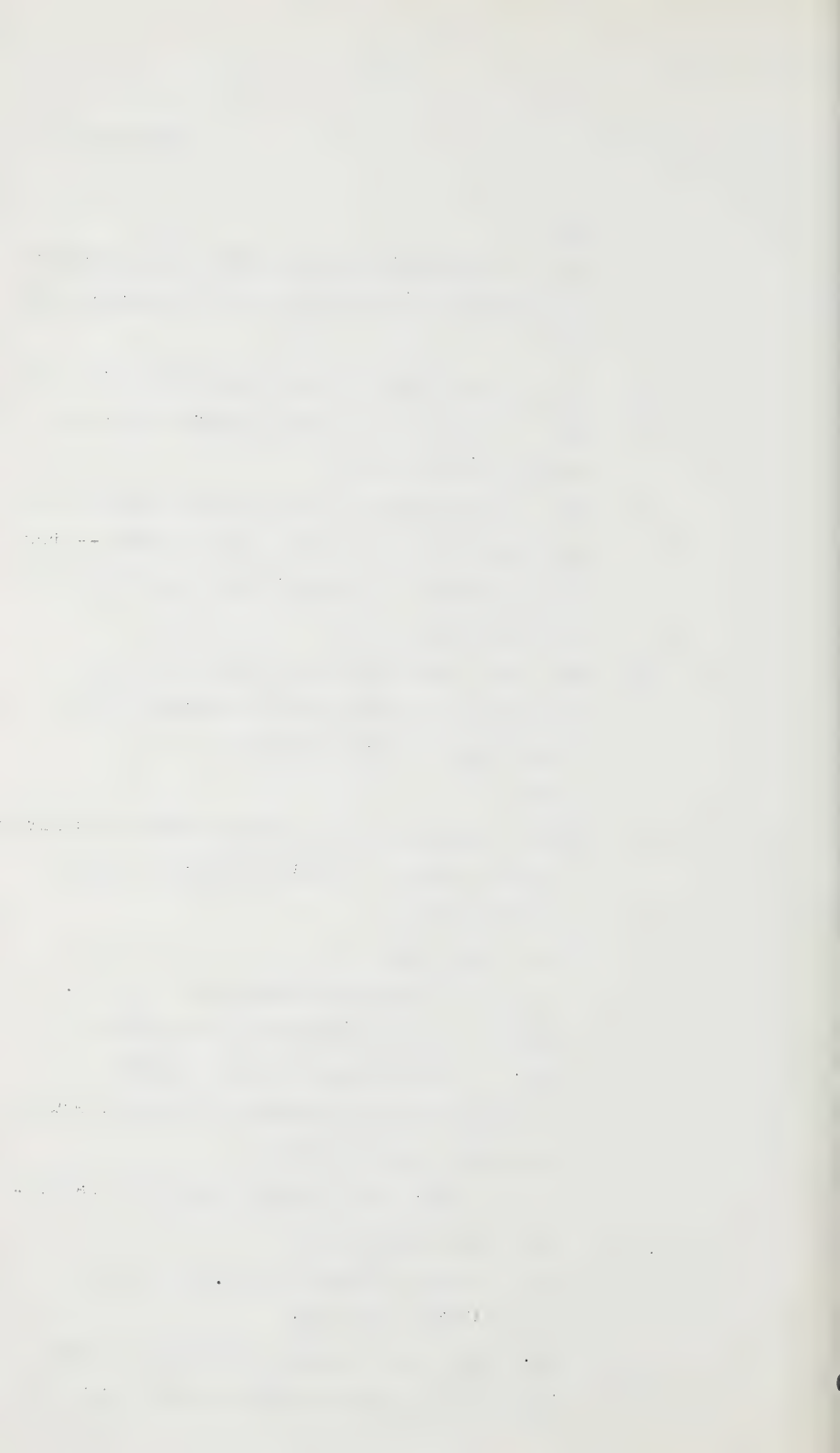
Q But you have not listened to my question, Mr. Bell. If by taking two cuts instead of one cut the job could be done more safely, would you always take two cuts?

A If -- Yes, if it could be done more safely.

Q You would always do it?

A Well, I would try and do it at any rate, if it was at all possible.

Q Yes. Well now, looking at Exhibit 202 you if said that/you took 14 cars you would have



John Bell

to take quite a run at it?

A Yes.

Q In other words, that you would have to travel faster; that is what you mean, is that right?

A Yes, I would give them a faster start, that is right.

Q And you would move faster through the curve?

A Yes.

Q Is that right?

A That is right. He would be easing up coming through the curve but that is the idea, to give him a start.

Q To make them move faster?

A That is right, to make them move faster.

Q So that if you were taking a longer cut through Runnymede Park you would be travelling faster than you would be if you were taking a shorter cut?

A Yes, naturally, because if you are taking a shorter cut you would be riding on the cars.

Q And if you were riding the cars and taking a shorter cut and giving signals direct to the engineman you would have your movement under better control?

A I would not say so.

Q You would not say so?

A I would not say so.

Q You do not think you get a faster reaction by giving signals direct to the engineman than you do by transmitting them through a

John Bell

fireman?

A With a good fireman there is very little difference.

Q I am asking you whether you do not get a faster reaction when you transmit a signal direct to the engineman. You say that with a good fireman there is very little difference. Your answer to my question then, must be "yes", is that right? You do get a faster reaction?

A Oh, I would not say that because / ^{there} would be very little difference. You could not call it a faster reaction.

Q You couldn't?

A I would not say so.

Q You think that the fact that the engineman's eyes are on your hand and if you just drop it that you get the same reaction by dropping your hand and having the fireman call across to him to stop? You think that is the same thing?

A By the time you drop your hand the fireman has called him to stop -- a good fireman.

Q A good fireman?

A Yes.

Q But with a fireman who is not quite so good?

A I have been very much blessed with good firemen.

Q You have never had a bad one?

A No, I will not say that I have ever worked with a bad fireman, not to my knowledge.

John Bell

Q So, when you come in here with six cars and you want to stop or come in with 15 cars and want to stop, it does not make any difference?

A Well, 16 cars might possibly.--

Q I say 15?

A Well, 15, you might possibly come in a very little farther, but where is the safety to that? You are just on straight track. There is nothing approaching pertaining to any injuries or damage or anything else there.

Q Is this track through this park fenced?

A No, sir.

Q If you had 12 cars, would you take longer to stop than if you had six cars?

A Well, naturally.

Q Especially due to the fact that you are travelling faster as well because you have to offset the binding on the curve?

A Well, he is going to be moving the six cars in on the curve as fast as he would be moving 12 or 15.

Q But he only goes as fast as you give him the signal?

A We give him the signal?

Q Yes, you can slow him down?

A Yes, you can slow him up.

THE CHAIRMAN: Mr. Sinclair, I think there is a certain overlapping in your questions and answers.

MR. SINCLAIR: Very well, sir.

John Bell

BY MR. SINCLAIR:

Q This track is not fenced through Runnymede Park?

A No, sir.

Q Have you ever been in that park?

A I expect so.

Q I mean walking around in it?

A Yes.

Q Who goes into it? The citizens of Toronto?

A Some of them; kids.

Q Kiddies?

A Yes, kiddies.

Q After thinking of that, do you think with a smaller cut and direct control of signals to the engineman you have a safer move than you have with a longer cut with nobody on the point of the movement?

A I will answer that question, sir. Adults have no supervision. Children have supervision in that park all the time. You see that supervision, keeping these children back away from these tracks.

Q That is your answer to that?

A Yes, sir.

Q The only reason you answer it that way is that you think you do not have to worry about anything there because there are adults and they look after whatever children there are there, is that it?

John Bell

A There is adults and children crossing all crossings; never mind just this track on the curve. There are adults and children crossing all railroad crossings.

Q But you have seen children in that park and you say, that in spite of that you think you are making just as safe a move by taking 15 cars, admitting to me that would take longer to stop than if you had six?

A Well, can you tell me where the unsafe practice is.

Q I am not here to answer?

A That is fine; then I am saying I am just as safe taking 15 cars into there as I am taking six.

THE CHAIRMAN: Now, just listen to the questions and answer the questions. Do not put any questions.

THE WITNESS: Thank you.

BY MR. SINCLAIR:

Q You are going to say you put safety first considerations all the time, and you are still going to give that answer to this Commission?

A I figure I am making that movement safely.

Q Just as safely as if you took six cars?

A Just as safe as if I took six cars.

Q But not more safe; you do not think it is safer by taking 15 than it is by taking six?

A Safer by taking 15 than it is six?

Q Yes?

A No, I would not say it was any more safe.

Q How many cars do you generally put in there, Mr. Bell?

A What have you reference to? How many cars do I usually put in there?

Q Into this curve on Exhibit 202?

A How many?

Q What is your average number?

A At one time?

Q Yes?

A Oh, the average in the last while back, I would say -- the average per day?

Q No, per cut?

A Well, you put in ten, 12 or 15 cars in there.

Q How many cuts do you put in there in a shift?

A Well now, the afternoon fellow -- only one, we only go in there once, and from that on, then we are in on top of those cars.

We are in the abattoir.

Q That is off this plan?

A That is right, up in here. Now, if they are switching cars so there is stock going in there, they switch them into this curve, that is out of the yard, then we go up and tie on and go back in. I have seen us go back in with 15 and 16 cars, sir.

Q Then, you would be backing up cab first?

John Bell

A That is right; they would be tied on to the cab.

Q When you came back out of the abattoir and picked them up, you would be cab first, backing out?

A Yes.

Q Then, you would pull those 15 in and run around them in there?

A Yes.

Q Rather than pushing them in as you had on the first move?

A How would you get them --

Q The first move you make, you push them in?

A Yes.

Q And the other moves?

A Pull them in, and any cars in there after that, before we go out, we pull them.

Q This move you have described to the Commission is a move you make once a day?

A Pushing them in?

Q Yes?

A Yes.

Q It is only when you are pushing in you have this problem in the summer time with the long cut that you have been describing here?

A Yes, for the simple reason that the men on the engine can see ^{me} in the winter time when the foliage is not there, or the yard foreman, it does not make any difference

John Bell

whether it is myself or who it is.

Q By making shorter cuts when possible, and relaying signals directly to engineman more prompt responses to signals will result and -- do you agree with that statement?

A Well, as I said before with a good fireman there is very little difference.

Q I asked you if you agreed with that statement?

A I said there was very little difference with a good fireman.

Q Do you think Mr. Alver, the supervisor in Toronto Terminals knows something about switching and safe practices?

A I will say Mr. Alver knows switching and safe practices, too.

Q The statement I read to you came from Exhibit 76 in these proceedings which was issued by Mr. Alver on August 16, 1956. You remember that bulletin, and you read that, did you not? It says:

"Observations made of switching operations in general in the Toronto Terminal has developed that in many cases cuts of too great a length are being made in switching cars, which has no doubt contributed to damage of content of cars and to draft gear in many cases.

I should like to emphasize to all concerned the importance of careful car handling and switching in order to

John Bell

prevent damage and dissatisfaction to patrons of our freight service.

It has also been discerned that members of yard crews are not always placing themselves in proper positions to relay signals by hand or lantern directly to engineman during switching operations. This is a yardmaster's and yard foreman's responsibility.

By making shorter cuts, when possible, and relaying signals directly to engineman more prompt responses to signals will result and especially on lead jobs shorter cuts will make lead tracks more available for other movements desiring to use them."

A That is right.

Q You agree with that?

A I think Mr. Alver, when he put that bulletin out, and I do not think he will contradict me on it, was thinking about large cuts, not ten, 12 and 15 car cuts.

Q That is what you think he had in mind?

A Yes.

Q Then, subsequent to that in February -- well, there were other bulletins. In January, were you working in January, 1957?

A No sir.

Q You were not?

A Not in 1957.

John Bell

Q You came back to work in February?

A No, March.

Q Then, another bulletin is the one that was read to you by Mr. Lewis, which is Exhibit 79 in these proceedings and is dated February 21, 1957. It reads in part:

"During switching operations, all concerned should have a definite understanding about the moves to be made and be in proper position to give and receive hand and lantern signals promptly.

All signals must be given direct to engineer except -- "

Then, there are some exceptions at Toronto Elevator Company, Terminal Warehouse Company, Victory Mills and Harris Glue Company, where the physical layout makes this impracticable. Did you see that?

A Yes.

Q That bulletin was in force when you came back to work, wasn't it?

A Yes, sir.

Q And Mr. Mountsteven and you had a conversation one time, did you not, in which Mr. Mountsteven told you the company had such a bulletin out and he was going to see that he helped carry it out; do you remember that conversation?

A No sir, I did not have that conversation with him.

John Bell

Q Is one of your mates a fellow by the name of Morris?

A Yes.

Q Did he tell you about a conversation he had with Mountsteven?

A No, sir, he did not.

BY THE CHAIRMAN:

Q When you came back on the job after your illness, would you read any bulletin that had been posted in the meantime?

A Yes, that is right. I read this bulletin posted there.

Q And any that had been put up while you were away?

A Any that were not torn down or disappeared, yes.

BY MR. SINCLAIR:

Q You had read the bulletin to which we just made reference?

A Yes.

Q You read that early in March and you returned?

A When I returned to work, yes.

Q But you say that later than that last year, though, you were still giving signals to the firemen?

A I said that? There were signals given to the fireman after that, yes.

Q It is part of your responsibility as yard foreman, to see that this bulletin is carried out?

John Bell

A That is correct.

Q You did not stop signals being given after that bulletin or did you?

A Just as soon as we got him back on the straight where we could see him we moved over there.

Q I asked you whether you stopped yardmen giving signals to the firemen after that bulletin was issued?

A I cannot tell you just what date it was, but it was three or four days after I came back to work.

Q That you started making the men give signals direct?

A To the engineer; it might have been two days, three days or four days.

Q But it would not be 20 days?

A No, no.

Q So, you are not suggesting, are you, Mr. Bell, that towards the end of March that bulletin was not being complied with in Toronto Terminals?

A Oh, I do not know what was being complied with in Toronto Terminals.

Q But it was being complied with on the Leaside job that you were on?

A It was, did you say?

Q By the end of March?

A Oh, yes, I would say so, by the end of March. I could not tell you anything about what date it was, or anything.

- Q You say that you started a few days after you came back to work seeing that these bulletins were carried out?
- A We were working on the other side.
- Q You were working on the engineman's side, is that right?
- A That is right.
- Q Looking at Exhibit 201, that is the sketch, or you can look at the big map, whichever you want to do. Do you want to look at the sketch, would that be a little easier? If you are getting tired, Mr. Bell, just say so.
- A No, it is fine.
- Q You have Exhibit 201 before you?
- A That is right.
- Q You say that you come out of the transfer track which holds 18 cars?
- A Yes.
- Q That is a full track of 18 cars?
- A Yes.
- Q If you are pulling east out of the transfer track, what would be the distance before you came to the --
- A The dwarf signal there?
- Q Yes?
- A I think about six cars.
- Q That is the distance from here to here?

THE CHAIRMAN: We cannot possibly follow that.

BY MR. SINCLAIR:

Q The dwarf signal is on the transfer track to the left. You say that the distance between that signal and the switch at the transfer track would be about six cars?

THE CHAIRMAN: Where is the signal?

THE WITNESS: Excuse me, it would be a little further. I am taking that switch at the Canadian National for the six cars; I was thinking about that switch at the Canadian National there instead of that pot signal, in which case that signal would take you down another three cars, approximately three cars.

BY MR. SINCLAIR:

Q About nine cars oraa little better?

A Nine or ten cars, I guess.

THE CHAIRMAN: Between what points?

MR. SINCLAIR: Between the pot signal there.

THE CHAIRMAN: I see that.

MR. SINCLAIR: And after clearing the switch on the transfer track. That is the move would clear the switch on the transfer track and following straight down that lead to the pot signal would give you nine cars.

BY MR. SINCLAIR:

Q Therefore, Mr. Bell, I think we can agree that if you wanted to make two cuts while switching that transfer track you would

never have to go out on the westbound main line; two cuts of nine cars would completely clear the track without having to go out on the main line?

A There are times when we have to pull the last car to get a Canadian National car. Possibly we may only make two switches on that transfer track.

Q Before we come to that. Would you agree that if you had to pull the entire track, if you pulled out in two cuts, two cuts of nine cars, you would never have to go out on the westbound main line; is that right?

A If you pull two cuts you would never have to go out. I don't think I would go by that pot signal, two cuts of nine cars.

Q If you did your switching with cuts like that there would be no difficulty at all, as a matter of fact you would automatically give your signals to the engineman? There would be no question about it; is that not right?

A You have approximately 18 cars, 17 or 18 cars on that siding. The last car in the siding, that would be your westward car, might be a Canadian National car. There might be another Canadian National three or four cars from the tail end, and the rest of the cars go back in the transfer. Would you pull nine cars, and then go back and get nine more?

Q And kick the Canadian National car out?

You would not switch that way?

A Not very liable to.

Q It could be done that way?

A It could be if you had room enough to set your nine cars in, and if you didn't have room enough there would be no advantage coming out with nine and going back in with nine and then grabbing nine more.

Q Do you generally find those tracks filled?

A From Wednesday on there is very little room in those tracks. Those tracks are nearly all filled.

Q You have other tracks to set cars off on if you have to? You can make pre-arranged moves and set off cars if you want to, in this yard? You can take cars to different places in the yard if you have to and if the yard is very tight, is not that right?

A If this yard is full and the other yard is full, that gives you the westbound yard. That is more or less the outgoing yard, this is the incoming yard here. I have seen that plugged right back to 6.

Q Would it not be possible to pull your nine cars and set them out on the westbound main line?

A It would be possible if there was nothing coming, nothing in the road. It would take much longer to do it.

Q What you are saying is that by taking these

18-car cuts here when the yard is plugged and you cannot set off nine at a time, to put them on the main line would take longer?

A Yes, you would have to go out by this board here and come back on the main line, come back and go back by the board and back into the yard.

Q So you are saying that by doing it the way you say you are you are expediting the move; is that right?

A That is right.

Q But even with 25 cars you said, if I got your evidence right, that if the men spread out by coming over south, I would take it -- we are calling the top of Exhibit 201 the north -- south of the eastbound main line; if they spread out and stayed on the ground the signals could be relayed to the engineman?

A I think I said that the fireman could see 25 cars out there; you can see the fireman with 25 cars out there.

Q If you came out here, Mr. Bell, south of the eastbound main line to give signals to the engineman, how many cars could you have and still do it?

A Well, unless he come away down in here to come across here from these switches, I would say 14 to 16 cars. He would have to go out there from 30 to 50 yards to give the signal.

MR. LEWIS: I did not hear that last.

MR. SINCLAIR: Fourteen to sixteen cars, and if he came out to the south, right at the signal, at the switches at the end, he would have to come out 30 to 50 yards.

THE WITNESS: Pretty close.

BY MR. SINCLAIR:

Q From the switches?

A Yes, from the switches, over the main tracks and over here into what you said to be a dump. It is levelled off now.

Q If he walked toward the east, if the man, if he walked toward the east after coming from the switches at the end of the yard and going across the main line, then of course as he walks toward the east more cars can come out and he can still be in view of the engine?

A The further down he walks, yes.

Q So, as long as he kept walking up the train you could take out, we will say, as many cars as you could by giving signals on the other side; you could get up to as many as 25 cars if he kept on walking?

A Sure, if he went down there with the cars; sure, he could.

Q Of course you said if he got up on top of the car, the car next to the engine, there would be no difficulty, but that would leave you to throw the switches and make

the cuts?

A That is right, and do the switching.

Q Therefore, by having him available to help you on the ground and giving signals to the fireman is really a matter of convenience to the ground crew rather than any requirement or necessity; you would agree with that?

A Well, yes, up to a point.

Q Up to a point? What do you mean, up to a point?

A The idea is that through the procedure both men were there to do the switching, throw the switches and do the switching, and of course the signals were relayed through the fireman.

Q As I say, that was a matter of convenience rather than being required?

A That was up to a point, for the simple reason it can be done the other way.

Q So that it is being done that way as a matter of convenience for the ground crew; this giving of signals to the fireman is being done as a matter of convenience to the ground crew?

A Sure; you couldn't say it was anything else.

Q Just one thing, Mr. Bell, you made clear to the Commission here in answer to my friend, Mr. Lewis, that you were not speaking for the Brotherhood of Railway Trainmen but that you were here in your personal capacity? You used such words as "the B. of R.T. are not involved in this issue", and you wanted to make that very clear, something of that nature?

A That is right.

Q That is the instruction you got from the B. of R.T.?

A No, that is not an instruction I got from the B. of R.T.

Q You were not told --

A No, sir.

Q That any views you expressed would be your own views?

A No sir, I was not told anything about it.

Q You did not inquire?

A I was talking to our deputy president and he never said anything about it.

Q He did not?

A No sir, he did not.

Q Mr. Kelly did not tell you anything about it?

A No, sir.

Q And Mr. Walsh?

A No.

Q But in any event you are speaking only for yourself?

A That is all. I am not speaking in any manner for the B. of R. T. at all.

MR. SINCLAIR: That is all.

BY THE CHAIRMAN:

Q Just one thing, Mr. Bell. You were speaking about men riding on the top of cars. To what extent is that done?

A Well now, it is done for the purpose of where you have got quite a stretch of cars and you put a man up on the first car and a man on the tail end car, possibly going down through the yard and then going by three or four curves and one thing and another like that down through the yard so that both men can be seen. That is the purpose of that really.

Q Is it a common occurrence?

A Oh yes, sure.

BY MR. LEWIS:

Q I will not keep you more than a minute, Mr. Bell. As yard foreman do you have a choice as to whether or not you put a man on top of a car? Is it your instruction or what?

A Well, yes, that is true enough. It would be on my instructions, and if I can take -- what will I say -- the number of cars we have got or whatever number of cars we might have safely on the ground then we stay on the ground or on the side of the cars instead

of up on top of the cars.

Q You also said in answer to my friend about the Leaside job that if you pulled only nine cars at a time and went out on the westbound main line it would take longer or much longer. I don't remember which words you used. Suppose you had 18 cars in that transfer track and you do it in two moves, two cuts, and find some place to get rid of your first cut while you deal with the second cut. Not in minutes, Mr. Bell, but in relationship to the way you have done it, how much longer would it take?

A I never clocked myself on that, Mr. Lewis. I wouldn't like to just voice my opinion on how long it might take you to do it. I wouldn't like to say so.

Q This is what I have in mind. Would it take 10 per cent longer, half as much longer or 100 per cent longer or can you make such an estimate?

A I would say it would take another 15, maybe 15 or 20 minutes, something like that, longer. It just depends on when you get the board. You might get it there if you were up out on the westbound, as Mr. Sinclair stated. A fellow might get out there and maybe not get the board for three or four minutes, maybe five minutes, something wrong at the other end of the

yard or in that circuit and he couldn't give you that board to go back into it again, one thing and another like that. But to state -- we will say, for instance, you turn around and pull nine of them out. We will say you had room enough in the yard to do it, turn around and pull nine out and set them over into a track and go back into the track. It would not take very long.

Q It would not take very long?

A No.

Q Mr. Bell, you said in answer to Mr. Sinclair that you gave these signals to the fireman and you agreed with Mr. Sinclair that it was for the convenience of the ground crew. If you had someone on the top of the car or someone following the train from the ground to the south, then I think you made it clear that you yourself, for example, would have to do the lining of the switches and the cutting of the cars and so on?

A That is correct.

Q Well, to do that and to relay your signals to the man either on top of the car or walking along south of the tracks, would you be able to stay north of the tracks all the time or would you have to go back and forth?

A Have to go back and forth to the switches. Of course you would have to go back and

forth over the tracks to the switches.

Q Would that be going back and forth behind the cut of cars?

A That is right, behind the cut of cars.

Q And every time you wanted to line a new switch you would have to do that?

A You would have to go across. If you wanted to kick a car, two cars, three cars, into a siding, switch those cars into a siding -- we will say you wanted to switch them into two and your next cut was for three, you would throw two switch, switch your cars in there, throw two back and go and get three and throw three and do the same thing.

Q And is that what you meant when you agreed with Mr. Sinclair that was inconvenient for you and that is why you did it the other way?

A Well, that is as much the purpose as anything else.

Q Is convenience the only question --

A Because after all --

Q I am sorry.

A After all, if there is a man there cutting the cars off for you while you are switching them and the other man throwing the switches, it is naturally a convenience for the crew, isn't it?

Q Well, is it just convenience in your mind not to go back and forth?

A You could say there was some safety there too.

MR. SINCLAIR: Are you cross-examining him, Mr. Lewis?

MR. LEWIS: I do not intend to.

MR. SINCLAIR: You certainly are trying awfully hard.

THE WITNESS: Because you are on the level, on the switch side you are on the level.

BY MR. LEWIS:

Q I did not quite get this point, Mr. Bell, and that is the only reason I am asking about it again. Did I understand you to agree with Mr. Sinclair that if you had 12 or 15 cars on this abattoir job that you would have to be going around the curve faster than you would be if you were pulling or pushing only five or six cars?

A No, not necessarily, if that is what you took from my statement. You would have to start them faster but when you got around onto that curve with 12 or 15 cars those 12 or 15 cars would slow him up slower than what he could go with six cars.

Q I see. Thank you, Mr. Bell.

MR. LEWIS: I think perhaps I will have time at least to tell the history of my next witness who is Mr. Wellington Baker.

WELLINGTON JAMES BAKER, sworn, examined

BY MR. LEWIS:

- Q Mr. Baker, you have informed me that you are now a yard foreman in the Toronto Terminals on the Lambton seniority list. Is that right?
- A Yes, sir.
- Q And you are now on what job in the Toronto Terminals?
- A The Leaside yard.
- Q How long have you been on that job?
- A I think I took over there about last July.
- Q And before that what was your job in the Terminals, immediately before that?
- A Industrial east.
- Q And have you worked other assignments as well?
- A Nearly all the assignments in West Toronto.
- Q You informed me that you started working for the Canadian Pacific Railway Company on its boats in July, 1938, and that on January 16, 1941, you started as a yardman?
- A Yes, sir.
- Q And you remained as a yardman until June, 1943, and from June, 1943, to November, 1945, as far as your memory went, you were a yardman and also a relieving yard foreman?
- A Yes, sir.
- Q And that in November, 1945, you were promoted to yard foreman. Is that right?
- A Yes, sir.
- Q And you were a yard foreman for some months

after that and some time during 1946 or 1947
-- you could not give me the exact dates and
I don't know whether you know them now?

A No, I cannot just remember the exact dates.

Q During that period you were for some 18 months
an assistant yardmaster?

A Yes, sir.

Q In what yard?

A West Toronto and Lambton.

Q And then after those 18 months you were back on
the job as a yard foreman?

A Yes, sir.

Q Was that at your request that you went back as
a yard foreman?

A Yes, sir.

Q And you have been in the yard foreman job ever
since? Is that right?

A That is right.

Q And the company has a system of annual safety
certificates, has it?

A That is right.

Q And you informed me that you have had seven
years continuous safety certificates and a
certificate for that. Is that right?

A Yes.

Q For seven continuous years?

A Yes.

Q And you informed me you also received other
safety certificates as well?

A Yes.

Q For other years?

A Yes.

Q What has your record with the company been like?

A Well, if I can remember correctly it has two demerit marks.

Q When did you get them and why?

A I believe it was last fall for failing to present my watch for inspection.

Q That is the regular inspection that you have?

A Yes.

Q And no others as far as you can remember?

A I had a slip one time that was given me -- it is quite a long time ago -- caution marks but outside of that I don't remember anything else.

MR. LEWIS: Mr. Chairman, if you could guide me whether the Commission wishes me to continue, I have not any objection if you wish to sit past 4 o'clock. Otherwise there would not be much value on starting on this phase.

THE CHAIRMAN: Does 9.30 tomorrow morning still hold?

MR. LEWIS: It is fine with me, sir.

MR. SINCLAIR: I see my friend is going to file a plan. Maybe he could let me have one now.

MR. LEWIS: With pleasure.

MR. SINCLAIR: So that I can see what he is going to be working with.

THE CHAIRMAN: Then we will adjourn.

---The Commission adjourned at 4 p.m. until 9.30 a.m., Friday, May 17, 1957.

BINDING SECT. APR 21 1972

